

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
1934
OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 5 NUMBER 94

Washington, Tuesday, May 14, 1940

The President

PROCLAMATION OF A STATE OF WAR BETWEEN GERMANY, ON THE ONE HAND, AND BELGIUM, LUXEMBURG, AND THE NETHERLANDS, ON THE OTHER HAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 1 of the joint resolution of Congress approved November 4, 1939, provides in part as follows:

"That whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war."

AND WHEREAS it is further provided by section 13 of the said joint resolution that

"The President may, from time to time, promulgate such rules and regulations, not inconsistent with law as may be necessary and proper to carry out any of the provisions of this joint resolution; and he may exercise any power or authority conferred on him by this joint resolution through such officer or officers, or agency or agencies, as he shall direct."

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority conferred on me by the said joint resolution, do hereby proclaim that a state of war unhappily exists between Germany, on the one hand, and Belgium, Luxemburg, and the Netherlands, on the other hand, and that it is necessary to promote the security and preserve the peace of the United States and to protect the lives of citizens of the United States.

And I do hereby enjoin upon all officers of the United States, charged with

the execution of the laws thereof, the utmost diligence in preventing violations of the said joint resolution and in bringing to trial and punishment any offenders against the same.

And I do hereby delegate to the Secretary of State the power to exercise any power or authority conferred on me by the said joint resolution, as made effective by this my proclamation issued thereunder, which is not specifically delegated by Executive order to some other officer or agency of this Government, and the power to promulgate such rules and regulations not inconsistent with law as may be necessary and proper to carry out any of its provisions.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eleventh day of May, in the year of our Lord nineteen hundred and [SEAL] forty, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL,
Secretary of State.

[No. 2404]

[F. R. Doc. 40-1921; Filed, May 11, 1940; 5:17 p. m.]

PROCLAIMING THE NEUTRALITY OF THE UNITED STATES IN THE WAR BETWEEN GERMANY, ON THE ONE HAND, AND BELGIUM, LUXEMBURG, AND THE NETHERLANDS, ON THE OTHER HAND

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS a state of war unhappily exists between Germany, on the one hand, and Belgium, Luxemburg, and the Netherlands, on the other hand;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, in order to preserve the neutrality of the United States and of

CONTENTS

THE PRESIDENT

Proclamations:	Page
Neutrality of United States in war between Germany, on the one hand, and Belgium, Luxemburg, and the Netherlands, on the other hand.	1689
State of war between Germany and Belgium, etc.	1689
Use of ports of territorial waters of the United States by submarines of foreign belligerent states.	1690

Executive Orders:

Louisiana, public land withdrawal in aid of flood control	1691
Neutrality of the United States, enforcement regulations amended	1691

RULES, REGULATIONS, ORDERS

TITLE 6—AGRICULTURAL CREDIT:

Farm Credit Administration: Authority of Deputy Production Credit Commissioner, etc., to act as Commissioner	1691
--	------

TITLE 14—CIVIL AVIATION:

Civil Aeronautics Authority: Mechanic certificate or rating reexamination	1691
---	------

TITLE 16—COMMERCIAL PRACTICES:

Federal Trade Commission: Cease and desist orders:	
Fascination Candy Co.	1692
Roxanna Candy Co.	1692
Oxol Laboratories, etc.	1693
Western Novelty Co.	1693
Ehrhart Conrad Co.	1694

TITLE 22—FOREIGN RELATIONS:

Department of State: Commerce with states engaged in armed conflict, regulations extended	1694
Contributions for use in certain countries, regulations extended	1695
Travel regulations amended	1695

(Continued on next page)



Published daily, except Sundays, Mondays, and days following legal holidays by the Division of the Federal Register, The National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500), under regulations prescribed by the Administrative Committee, approved by the President.

The Administrative Committee consists of the Archivist or Acting Archivist, an officer of the Department of Justice designated by the Attorney General, and the Public Printer or Acting Public Printer.

The daily issue of the FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.25 per month or \$12.50 per year; single copies 10 cents each; payable in advance. Remit money order payable to the Superintendent of Documents directly to the Government Printing Office, Washington, D. C.

CONTENTS—Continued

TITLE 31—MONEY AND FINANCE:

TREASURY:

Monetary Offices:

Foreign exchange, etc., transactions:

General License No. 1, amendment	1695
General License No. 2	1695
General License No. 3	1695
General License No. 4	1696
General License No. 5	1696

TITLE 33—NAVIGATION AND NAVIGABLE WATERS:

Corps of Engineers, War Department:

Bridge regulations:

Sonoma Creek, Calif.	1696
Newark Slough, Calif.	1696

TITLE 34—NAVY:

Department of the Navy:

Naval Reserve:

Table of Contents	1697
Subpart A—General; administration and organization, all classes	1697

Officer personnel, regulations amended	1697
--	------

NOTICES

Department of Labor:

Wage and Hour Division:

Learner employment certificates, issuance for various industries (2 notices) 1716, 1717

Federal Trade Commission:

Orders appointing examiner, etc.:

Peterson Core Oil & Mfg. Co.	1717
Hamilton Ross Factories, Inc.	1717

Railroad Retirement Board:

Employer status of National Carloading Corp., et al., hearings postponed	1718
--	------

CONTENTS—Continued

Securities and Exchange Commission:

Hearings:

American Utilities Service Corp., et al.	1718
Brockton Gas Light Co.	1721
Brooklyn Union Gas Co.	1720
Consolidated Ice Co.	1722
Eastern Gas and Fuel Associates (2 notices)	1721, 1722
Fuel Investment Associates	1722
Koppers Co.	1720
Koppers United Co., Brooklyn Union Gas Co., et al.	1719
Koppers United Co., Fuel Investment Associates, and Eastern Gas and Fuel Associates	1721
Koppers United Co. (3 notices)	1720, 1722
San Gabriel River Improvement Co., place changed	1723
South Carolina Electric & Gas Co., and Southeastern Electric and Gas Co.	1724
North American Gas and Electric Co., application approved	1723
United Gas Improvement Co., et al.	
Bristol Traction Co. dismissed from proceedings	1723
Hearing postponed	1723
United Public Utilities Corp., application approved	1718

its citizens and of persons within its territory and jurisdiction, and to enforce its laws and treaties, and in order that all persons, being warned of the general tenor of the laws and treaties of the United States in this behalf, and of the law of nations, may thus be prevented from any violation of the same, do hereby declare and proclaim that all of the provisions of my proclamation of September 5, 1939, proclaiming the neutrality of the United States in a war between Germany and France; Poland; and the United Kingdom, India, Australia and New Zealand apply equally in respect to Belgium, Luxemburg, and the Netherlands.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the city of Washington this eleventh day of May, in the year of our Lord nineteen hundred and [SEAL] forty, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D. ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2405]

[F. R. Doc. 40-1922; Filed, May 11, 1940; 5:17 p. m.]

USE OF PORTS OR TERRITORIAL WATERS OF THE UNITED STATES BY SUBMARINES OF FOREIGN BELLIGERENT STATES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS section 11 of the Joint Resolution approved November 4, 1939, provides:

"Whenever, during any war in which the United States is neutral, the President shall find that special restrictions placed on the use of the ports and territorial waters of the United States by the submarines or armed merchant vessels of a foreign state, will serve to maintain peace between the United States and foreign states, or to protect the commercial interests of the United States and its citizens, or to promote the security of the United States, and shall make proclamation thereof, it shall thereafter be unlawful for any such submarine or armed merchant vessel to enter a port or the territorial waters of the United States or to depart therefrom, except under such conditions and subject to such limitations as the President may prescribe. Whenever, in his judgment, the conditions which have caused him to issue his proclamation have ceased to exist, he shall revoke his proclamation and the provisions of this section shall thereupon cease to apply, except as to offenses committed prior to such revocation."

WHEREAS there exists a state of war between Germany on the one hand and Belgium and the Netherlands on the other hand;

WHEREAS the United States of America is neutral in such war;

WHEREAS by my proclamation of November 4, 1939, issued pursuant to the provision of law quoted above, I placed special restrictions on the use of ports and territorial waters of the United States by the submarines of France; Germany; Poland; and the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa;

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, acting under and by virtue of the authority vested in me by the foregoing provision of section 11 of the Joint Resolution approved November 4, 1939, do by this proclamation declare and proclaim that the provisions of my proclamation of November 4, 1939, in regard to the use of the ports and territorial waters of the United States, exclusive of the Canal Zone, by the submarines of France; Germany; Poland; and the United Kingdom, India, Australia, Canada, New Zealand, and the Union of South Africa, shall also apply to the use of the ports and territorial waters of the United States, exclusive of the Canal Zone, by the submarines of Belgium and the Netherlands.

AND I do hereby enjoin upon all officers of the United States, charged with the execution of the laws thereof, the utmost diligence in preventing violations of the said Joint Resolution, and this my proclamation issued thereunder, and in bringing to trial and punishment any offenders against the same.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eleventh day of May, in the year of our Lord nineteen hundred and [SEAL] forty, and of the Independence of the United States of America the one hundred and sixty-fourth.

FRANKLIN D ROOSEVELT

By the President:

CORDELL HULL

Secretary of State.

[No. 2406]

[F. R. Doc. 40-1923; Filed, May 11, 1940; 5:17 p. m.]

EXECUTIVE ORDER

PRESCRIBING REGULATIONS GOVERNING THE ENFORCEMENT OF THE NEUTRALITY OF THE UNITED STATES

WHEREAS, under the treaties of the United States and the law of nations it is the duty of the United States, in any war in which the United States is a neutral, not to permit the commission of unneutral acts within the jurisdiction of the United States;

AND WHEREAS, a proclamation was issued by me on the eleventh day of May declaring the neutrality of the United States of America in the war now existing between Germany, on the one hand, and Belgium, Luxemburg, and the Netherlands, on the other hand:

NOW, THEREFORE, in order to make more effective the enforcement of the provisions of said treaties, law of nations, and proclamation, I hereby prescribe that the provisions of my Executive Order No. 8233 of September 5, 1939, prescribing regulations governing the enforcement of the neutrality of the United States, apply equally in respect to Belgium, Luxemburg, and the Netherlands.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE

May 11, 1940.

[No. 8406]

[F. R. Doc. 40-1924; Filed, May 11, 1940; 5:17 p. m.]

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LAND IN AID OF FLOOD CONTROL

LOUISIANA

By virtue of the authority vested in me by the act of June 25, 1910, c. 421, 36 Stat. 847, as amended by the act of

August 24, 1912, c. 369, 37 Stat. 497, it is ordered as follows:

SEC. 1. Executive Order No. 6964 of February 5, 1935, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked so far as it affects the land described in section 2 of this order.

SEC. 2. Subject to the conditions expressed in the above-mentioned acts and to valid existing rights, the following-described public lands in Louisiana are hereby withdrawn from settlement, location, sale, or entry, and reserved for flood-control purposes in connection with the Bayou Bodcau Dam and Reservoir project, under the direction of the Secretary of War and supervision of the Chief of Engineers as authorized by the act of June 22, 1936, c. 688, 49 Stat. 1570, as amended by the act of June 28, 1938, c. 795, 52 Stat. 1215:

Louisiana Meridian

T. 20 N., R. 11 W.,
sec. 20, lot 9, containing 1.80 acres.

T. 22 N., R. 11 W.,
sec. 4, lot 4, containing 6.72 acres;
sec. 5, lots 3 and 4, containing 13.68 acres;
aggregating 22.20 acres.

SEC. 3. The reservation made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

May 10, 1940.

[No. 8407]

[F. R. Doc. 40-1925; Filed, May 13, 1940; 10:12 a. m.]

Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

CHAPTER I—FARM CREDIT ADMINISTRATION

[F.C.A. 173]

AUTHORITY OF DEPUTY PRODUCTION CREDIT COMMISSIONER, ASSISTANT DEPUTY COMMISSIONERS, AND ASSISTANT TO THE PRODUCTION CREDIT COMMISSIONER TO ACT AS COMMISSIONER

Section 3.41 of Title 6, Code of Federal Regulations, is amended to read as follows:

§ 3.41 Authority of Deputy Production Credit Commissioner, Assistant Deputy Commissioners, and Assistant to the Production Credit Commissioner to act as Commissioner. A. T. Esgate, Deputy Production Credit Commissioner, is authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Production Credit Commissioner in the event that the Commissioner is unavailable to act, by reason of absence from the Washington offices of the Farm Credit Administration, or for any other cause.

K. L. Scott, Assistant Deputy Commissioner, is authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Production Credit Commissioner in the event that the Commissioner and Deputy Production Credit Commissioner Esgate are both unavailable to act, by reason of absence from the Washington offices of the Farm Credit Administration, or for any other cause.

Verne Simmons, Assistant to the Production Credit Commissioner, is authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Production Credit Commissioner in the event that the Commissioner, Deputy Production Credit Commissioner Esgate, and Assistant Deputy Commissioner Scott are all unavailable to act, by reason of absence from the Washington offices of the Farm Credit Administration, or for any other cause.

W. J. Kerlin, Assistant Deputy Commissioner, is authorized to execute and perform all functions, powers, authority, and duties pertaining to the office of Production Credit Commissioner in the event that the Commissioner, Deputy Production Credit Commissioner Esgate, Assistant Deputy Commissioner Scott, and Verne Simmons, Assistant to the Production Credit Commissioner, are all unavailable to act, by reason of absence from the Washington offices of the Farm Credit Administration, or for any other cause. (E.O. 6084, Mar. 27, 1933, 6 CFR 1.1 (m); R. S. § 178, 5 U.S.C. 5; Memorandum No. 846, Sec. of Agric., Jan. 6, 1940.) [F.C.A. Order No. 286, May 1, 1940]

[SEAL]

A. G. BLACK,
Governor.

[F. R. Doc. 40-1936; Filed, May 13, 1940; 11:56 a. m.]

TITLE 14—CIVIL AVIATION

CHAPTER I—CIVIL AERONAUTICS AUTHORITY

[Amendment No. 44, Civil Air Regulations]

MECHANIC CERTIFICATE OR RATING REEXAMINATION

At a session of the Civil Aeronautics Authority held at its office in Washington, D. C., on the 10th day of May 1940.

Acting pursuant to the authority vested in it by the Civil Aeronautics Act of 1938, particularly sections 205 (a), 601 (a) and 602 of said Act, and finding that its action is desirable in the public interest and is necessary to carry out the provisions of and to exercise and perform its powers and duties under said Act, the Civil Aeronautics Authority hereby amends the Civil Air Regulations as follows:

Effective May 10, 1940, § 24.36 of the Civil Air Regulations is amended to read as follows:

§ 24.36 *Reexamination.* An applicant for a mechanic certificate or rating who has failed to accomplish successfully any prescribed theoretical or practical examination or test may apply for reexamination at any time after the expiration of 90 days from the date of such failure.

By the Authority.

[SEAL]

PAUL J. FRIZZELL,
Secretary.

[F. R. Doc. 40-1926; Filed, May 13, 1940;
10:51 a. m.]

TITLE 16—COMMERCIAL PRACTICES

FEDERAL TRADE COMMISSION

[Docket No. 3321]

IN THE MATTER OF FASCINATION CANDY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of candy or other merchandise, candy or any other merchandise so packed and assembled that sales of said candy or other merchandise to the general public are to be, or may be, made by means of a lottery, gaming device or gift enterprise, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Fascination Candy Company, Docket 3321, April 30, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with packages or assortments of candy or other merchandise together with push or pull cards, punchboards or any other lottery devices, which said push or pull cards, punchboards or other lottery devices are to be, or may be, used in selling or distributing said candy or other merchandise to the general public, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Fascination Candy Company, Docket 3321, April 30, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of candy or other merchandise, others with push or pull cards, punchboards, or any other lottery devices, either with assortments of candy or other merchandise, or separately, which said push or pull cards, punchboards, or other lottery devices, are to be, or may be, used in selling or distributing such candy or other merchandise to the general public, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Fascination Candy Company, Docket 3321, April 30, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc.,

in connection with offer, etc., in commerce, of candy or other merchandise, any merchandise by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Fascination Candy Company, Docket 3321, April 30, 1940]

ORDER TO CEASE AND DESIST

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 30th day of April, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission,¹ the answer of respondent, testimony and other evidence taken before Arthur F. Thomas, William C. Reeves, and Miles J. Furnas, examiners of the Commission theretofore duly designated by it, in support of the allegations of the complaint and in opposition thereto, brief of counsel for the Commission filed herein (respondent having filed no brief and oral argument not having been requested), and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent Fascination Candy Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device in connection with the offering for sale, sale and distribution of candy or any other merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing candy or any other merchandise so packed and assembled that sales of said candy or other merchandise to the general public are to be made, or may be made, by means of a lottery, gaming device or gift enterprise;

(2) Supplying to, or placing in the hands of others packages or assortments of candy or other merchandise together with push or pull cards, punchboards or any other lottery devices, which said push or pull cards, punchboards or other lottery devices are to be used, or may be used, in selling or distributing said candy or other merchandise to the general public;

(3) Supplying to or placing in the hands of others push or pull cards, punchboards, or any other lottery devices, either with assortments of candy or other merchandise, or separately, which said push or pull cards, punchboards, or other lottery devices, are to be used or may be used in selling or distributing such candy or other merchandise to the general public;

(4) Selling or otherwise distributing any merchandise by means of a game of chance, gift enterprise or lottery scheme.

¹ 3 F.R. 1002.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission, a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1903; Filed, May 11, 1940;
10:16 a. m.]

[Docket No. 3904]

IN THE MATTER OF ROXANNA CANNING COMPANY

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (n) (2) *Advertising falsely or misleadingly—Nature—Product:* § 3.66 (a7) *Misbranding or mislabeling—Composition:* § 3.66 (d) *Misbranding or mislabeling—Nature.* Using, in connection with offer, etc., in commerce, of respondent's Black Spot and Harty dog foods, or other similar products, the terms "beef by-products" or "ground beef bone" or "beef" or any other term of similar import or meaning to designate or describe any ingredients of such products, which ingredients are not in fact, respectively, beef by-products, ground beef bone, or beef, or representing, in said connection, that such products are scientifically balanced rations or scientifically balanced beef rations, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Roxanna Canning Company, Docket 3904, April 29, 1940]

ORDER TO CEASE AND DESIST

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 29th day of April, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of the respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that it waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Roxanna Canning Company, a corporation, its officers, representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of its food for dogs known as Black Spot and Harty dog foods, or any other product containing substantially similar ingredients, whether sold under the same name or under any other name or names, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the terms "beef by-products" or "ground beef bone" or "beef" or any other term of similar import or meaning to designate or describe any ingredients of such products which ingredients are not in fact, respectively, beef by-products, ground beef bone, or beef.

2. Representing that such products are scientifically balanced rations or scientifically balanced beef rations.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1904; Filed, May 11, 1940;
10:17 a. m.]

[Docket No. 4035]

IN THE MATTER OF OXOL LABORATORIES
ETC.

§ 3.6 (t) *Advertising falsely or misleadingly—Qualities or properties of product:* § 3.6 (x) *Advertising falsely or misleadingly—Results.* Disseminating, etc., advertisements by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondent's "Quinox Capsules" or other similar medicinal preparation, which advertisements represent, directly or by implication, that respondent's preparation (1) is a cure or remedy or a competent or effective treatment for delayed menstruation, or will relieve delayed menstruation or have any beneficial effect thereon, or (2) possesses any substantial therapeutic value aside from its effect as an ordinary laxative, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Oxol Laboratories, etc., Docket 4035, May 1, 1940]

IN THE MATTER OF WILLIAM S. McClymonds, AN INDIVIDUAL TRADING AS OXOL LABORATORIES AND AS WESTERN RESEARCH LABORATORIES

ORDER TO CEASE AND DESIST

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of May, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and states that he waives all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, William S. McClymonds, individually and trading as Oxol Laboratories or as Western Research Laboratories, or trading under any other name or names, his representatives, agents and employees, directly or through any corporate or other representatives, agents and employees, device, do forthwith cease and desist from:

Disseminating or causing to be disseminated any advertisement by means of the United States mails or in commerce, as "commerce" is defined in the Federal Trade Commission Act, by any means, for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase of respondent's medicinal preparation now designated by the name "Quinox Capsules" or any other medicinal preparation composed of substantially similar ingredients or possessing substantially similar therapeutic properties, whether sold under the same name or under any other name or names; or disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in commerce, as "commerce" is defined in the Federal Trade Commission Act, of said medicinal preparation, which advertisements represent directly or by implication:

(1) That respondent's preparation is a cure or remedy or a competent or effective treatment for delayed menstruation, or that said preparation will relieve delayed menstruation or have any beneficial effect thereon.

(2) That respondent's preparation possesses any substantial therapeutic value aside from its effect as an ordinary laxative.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By The Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1898; Filed, May 11, 1940;
10:13 a. m.]

[Docket No. 4055]

IN THE MATTER OF WESTERN NOVELTY COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of knives, cameras, razors or other articles, said or other merchandise so packed and assembled that sales of said merchandise or any other merchandise to the general public are to be, or may be, made by means of a lottery, gaming device or gift enterprise, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52

Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Western Novelty Company, Docket 4055, May 1, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of knives, cameras, razors or other articles, others with said or any other merchandise, together with pushcards, punchboards or any other lottery devices, which said pushcards, punchboards or other lottery devices are to be, or may be, used in selling or distributing said merchandise or any other merchandise to the general public, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Western Novelty Company, Docket 4055, May 1, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of knives, cameras, razors, or other articles, others with pushcards, punchboards or any other lottery devices, either with assortments of said merchandise or any other merchandise, or separately, which said pushcards, punchboards, or other lottery devices are to be, or may be, used in selling or distributing said merchandise or any other merchandise to the general public, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Western Novelty Company, Docket 4055, May 1, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of knives, cameras, razors or other articles, any merchandise by means of a game or chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Western Novelty Company, Docket 4055, May 1, 1940]

IN THE MATTER OF MAX LEVIN, INDIVIDUALLY AND TRADING UNDER THE NAME OF WESTERN NOVELTY COMPANY

ORDER TO CEASE AND DESIST

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 1st day of May, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint and states that he waives all intervening procedure and further hearing as to said facts, and the Commission, having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Max Levin, individually and trading under the name of Western Novelty Company, or trading under any other name or names, his representatives, agents and

employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of knives, cameras, razors, pens, pencils, cigarette lighters, or any other articles of merchandise in commerce, as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing said merchandise or any other merchandise so packed and assembled that sales of said merchandise or any other merchandise to the general public are to be made or may be made by means of a lottery, gaming device or gift enterprise;

(2) Supplying to or placing in the hands of others, said merchandise or any other merchandise, together with pushcards, punchboards or any other lottery devices, which said pushcards, punchboards or other lottery devices are to be used or may be used in selling or distributing said merchandise or any other merchandise to the general public;

(3) Supplying to or placing in the hands of others, pushcards, punchboards or any other lottery devices, either with assortments of said merchandise or any other merchandise, or separately, which said pushcards, punchboards, or other lottery devices are to be used or may be used in selling or distributing said merchandise or any other merchandise to the general public;

(4) Selling or otherwise distributing any merchandise by means of a game of chance, gift enterprise or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1899; Filed, May 11, 1940;
10:13 a. m.]

[Docket No. 4068]

IN THE MATTER OF EHRHART CONRAD
COMPANY

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of food products or other merchandise, said products or any other merchandise so packed and assembled that sales of said products or any other merchandise to the general public are to be, or may be, made by means of a game of chance, gift enterprise, or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Ehrhart Conrad Company, Docket 4068, May 1, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying,

etc., in connection with offer, etc., in commerce, of food products or other merchandise, others with sales promotion cards, push or pull cards, punch boards, or other devices, together with said food products or other merchandise, which said promotion cards, push or pull cards, punch boards, or other devices are to be, or may be, used in the sale and distribution of said products or any other merchandise to the general public by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Ehrhart Conrad Company, Docket 4068, May 1, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Supplying, etc., in connection with offer, etc., in commerce, of food products or other merchandise, others with sales promotion cards, or sales promotion plans or schemes, or any other devices, either with assortments of said products or other merchandise, or separately, which said sales promotion cards, sales promotion plans or schemes, or other devices are to be, or may be, used in selling or distributing such products or other merchandise to the general public by means of a game of chance, gift enterprise, or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Ehrhart Conrad Company, Docket 4068, May 1, 1940]

§ 3.99 (b) *Using or selling lottery devices—In merchandising.* Selling, etc., in connection with offer, etc., in commerce, of food products or other merchandise, any merchandise by means of a game of chance, gift enterprise or lottery scheme, prohibited. (Sec. 5, 38 Stat. 719, as amended by Sec. 3, 52 Stat. 112; 15 U.S.C., Supp. IV, sec. 45b) [Cease and desist order, Ehrhart Conrad Company, Docket 4068, May 1, 1940]

IN THE MATTER OF EHRHART CONRAD
COMPANY, A CORPORATION

ORDER TO CEASE AND DESIST

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 1st day of May, A. D. 1940.

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission and the answer of respondent, in which answer respondent admits all the material allegations of fact set forth in said complaint, and respondent having waived all intervening procedure and further hearing as to said facts, and the Commission having made its findings as to the facts and conclusion that said respondent has violated the provisions of the Federal Trade Commission Act;

It is ordered, That the respondent, Ehrhart Conrad Company, a corporation, its officers, representatives, agents and

employees, directly or through any corporate or other device, in connection with the offering for sale, sale and distribution of food products or any other merchandise in commerce as commerce is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

(1) Selling or distributing said products or any other merchandise so packed and assembled that sales of said products or other merchandise to the general public are to be made or may be made by means of a game of chance, gift enterprise, or lottery scheme;

(2) Supplying to or placing in the hands of others, sales promotion cards, push or pull cards, punch boards, or other devices, together with said food products or other merchandise, which said promotion cards, push or pull cards, punch boards, or other devices are to be used or may be used in the sale and distribution of said products, or any other merchandise, to the general public by means of a game of chance, gift enterprise, or lottery scheme;

(3) Supplying to or placing in the hands of others, sales promotion cards, or sales promotion plans or schemes, or any other devices, either with assortments or said products or other merchandise, or separately, which said sales promotion cards, sales promotion plans or schemes, or other devices are to be used or may be used in selling or distributing such products or other merchandise to the general public by means of a game of chance, gift enterprise, or lottery scheme;

(4) Selling or otherwise distributing any merchandise by means of a game of chance, gift enterprise, or lottery scheme.

It is further ordered, That the respondent shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1900; Filed, May 11, 1940;
10:14 a. m.]

TITLE 22—FOREIGN RELATIONS

CHAPTER I—DEPARTMENT OF STATE

PART 12—COMMERCE WITH STATES ENGAGED IN ARMED CONFLICT

§ 12.1 *Exportation or transportation of articles or materials*¹—(g) Belgium, Luxemburg, and the Netherlands. The regulations under section 2 (c) and (i) of the joint resolution of Congress approved November 4, 1939, which the Secretary of State promulgated on Novem-

¹ 5 F.R. 1597.

ber 10 (22 CFR 12.1 (a)-(d))² and November 25 (22 CFR 12.1 (e))³, 1939, henceforth apply equally in respect to the export or transport of articles and materials to Belgium, Luxembourg, and the Netherlands. (Secs. 2 (c), (i), Public Res. 54, 76th Cong., 2d sess., approved Nov. 4, 1939; Proc. No. 2404, May 11, 1940)

CORDELL HULL,
Secretary of State.

MAY 11, 1940.

[F. R. Doc. 40-1933; Filed, May 13, 1940;
11:47 a. m.]

PART 40—SOLICITATION AND COLLECTION OF CONTRIBUTIONS FOR USE IN CERTAIN COUNTRIES

§ 40.18 *Contributions for use in Belgium, Luxembourg, and the Netherlands.* The rules and regulations (22 CFR 40.1-16) under section 8 of the joint resolution of Congress approved November 4, 1939, which the Secretary of State promulgated on November 6, 1939,⁴ henceforth apply equally to the solicitation and collection of contributions for use in Belgium, Luxembourg, and the Netherlands. (Sec. 8, Public Res. 54, 76th Cong., 2d sess., approved Nov. 4, 1939; Proc. No. 2404, May 11, 1940)

CORDELL HULL,
Secretary of State.

MAY 11, 1940.

[F. R. Doc. 40-1934; Filed, May 13, 1940;
11:47 a. m.]

PART 55C—TRAVEL⁴

Pursuant to the provisions of section 5 of the joint resolution of Congress, approved November 4, 1939, and of the President's proclamation of April 10, 1940, the regulations in 22 CFR 55C.1 and 55C.2 of November 6, 1939,⁵ as amended November 17, 1939,⁶ and April 25, 1940,⁷ are hereby amended to read as follows:

§ 55C.1 *American diplomatic, consular, military, and naval officers.* American diplomatic and consular officers and their families, members of their staffs and their families, and American military and naval officers and personnel and their families may travel pursuant to orders on vessels of France; Germany; Poland; or the United Kingdom, India, Australia, Canada, New Zealand, the Union of South Africa, Norway, Belgium, and the Netherlands, if the public serv-

¹ 4 F.R. 4510 DI.

² Regulations (1)-(4) in "Regulations under section 2 (c) and (i) of the joint resolution of Congress approved November 4, 1939," which were published in the FEDERAL REGISTER of November 16, 1939 (4 F.R. 4598 DI), have been designated as 22 CFR 12.1 (a)-(d).

³ Regulation (5) (4 F.R. 4701 DI) has been designated as 22 CFR 12.1 (e).

⁴ 5 F.R. 1597.

⁵ 4 F.R. 4509.

⁶ 4 F.R. 4640.

ice requires. (Sec. 5, Public Res. 54, 76th Cong., 2d sess., approved Nov. 4, 1939; Proc. No. 2404, May 11, 1940)

§ 55C.2 *Other American citizens.* Other American citizens may travel on vessels of France; Germany; Poland; or the United Kingdom, India, Australia, Canada, New Zealand, the Union of South Africa, Norway, Belgium, and the Netherlands: *Provided, however,* That travel on or over the north Atlantic Ocean, north of 35 degrees north latitude and east of 66 degrees west longitude or on or over other waters adjacent to Europe or over the continent of Europe or adjacent islands shall not be permitted except when specifically authorized by the Passport Division of the Department of State or an American diplomatic or consular officer abroad in each case. (Sec. 5, Public Res. 54, 76th Cong., 2d sess., approved Nov. 4, 1939; Proc. No. 2404, May 11, 1940)

CORDELL HULL,
Secretary of State.

MAY 11, 1940.

[F. R. Doc. 40-1935; Filed, May 13, 1940;
11:47 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

CHAPTER I—MONETARY OFFICES

PART 131—AMENDMENT TO GENERAL LICENSE NO. 1 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

General License No. 1¹ is hereby amended to read as follows:

A general license is hereby granted authorizing payments and transfers of credit to accounts in banking institutions within the United States in which Norway, Denmark, the Netherlands, Belgium, or Luxembourg, or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as amended,² and the Regulations issued thereunder;³ *Provided,* That the payments or transfers of credit are not made from accounts in which Norway, Denmark, the Netherlands, Belgium or Luxembourg or a national thereof has a property interest within the meaning of such Order and Regulations.⁴

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

MAY 10, 1940.

[F. R. Doc. 40-1892; Filed, May 10, 1940;
4:10 p. m.]

¹ 5 F.R. 1616.

² 5 F.R. 1677.

³ 5 F.R. 1680.

⁴ Part 131; Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress, 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; Regulations, April 10, 1940, as amended, May 10, 1940.

PART 132—GENERAL LICENSE NO. 2 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

A general license is hereby granted authorizing banking institutions within the United States to debit accounts with such banking institutions in which Norway, Denmark, the Netherlands, Belgium or Luxembourg or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as amended,¹ and the Regulations issued thereunder,² in payment or reimbursement for (a) interest due to such banking institutions, (b) cable, telegraph or telephone charges, or postage costs (c) custody fees and service charges, and (d) protest fees, provided that all banking institutions making any such debits shall file promptly with the appropriate Federal Reserve bank weekly reports showing the details of such debits.³

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.

MAY 10, 1940.

[F. R. Doc. 40-1893; Filed, May 10, 1940;
4:10 p. m.]

PART 133—GENERAL LICENSE NO. 3 UNDER EXECUTIVE ORDER No. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

A general license is hereby granted authorizing banking institutions within the United States:

(a) to make payments from accounts in which Norway or Denmark or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as amended,¹ and the Regulations issued thereunder,² of checks, drafts, and other payment orders drawn or issued prior to April 8, 1940, and to accept and pay and debit to such accounts drafts drawn prior to April 8, 1940, under letters of credit, and

(b) to effect transfers of credit or payments between accounts in banking institutions within the United States in which Norway or Denmark or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as amended, and the Regulations issued thereunder, under instructions issued prior to April 8, 1940,

(c) to make payments from accounts in which the Netherlands, Belgium or Luxembourg or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as

¹ 5 F.R. 1677.

² 5 F.R. 1680.

³ Part 132; Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress, 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; Regulations, April 10, 1940, as amended May 10, 1940.

amended, and the Regulations issued thereunder, of checks, drafts, and other payment orders drawn or issued prior to May 10, 1940, and to accept and pay and debit to such accounts draft drawn prior to May 10, 1940, under letters of credit, and

(d) to effect transfers of credit or payments between accounts in banking institutions within the United States in which the Netherlands, Belgium or Luxembourg or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as amended, and the Regulations issued thereunder, under instructions issued prior to May 10, 1940.*

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.
MAY 10, 1940.

[F. R. Doc. 40-1894; Filed, May 10, 1940;
4:11 p. m.]

PART 134—GENERAL LICENSE NO. 4 UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

A general license is hereby granted authorizing the bona fide purchase and sale of securities by banking institutions within the United States, for the account of nationals of Norway, Denmark, the Netherlands, Belgium, or Luxembourg within the meaning of the Executive Order of April 10, 1940, as amended,¹ and the Regulations issued thereunder,² pursuant to the instructions of such nationals, and the making and receipt of payment for and the transfer of such securities, provided that:

(a) in the case of the purchase of securities the securities purchased are held in an account in a banking institution within the United States in the name of the national of Norway, Denmark, the Netherlands, Belgium or Luxembourg whose account was debited to purchase such securities, and

(b) in the case of the sale of securities the proceeds of the sale are credited to an account in a banking institution within the United States in the name of the national of Norway, Denmark, the Netherlands, Belgium or Luxembourg for whose account the sale was made.

Each banking institution making such a purchase or sale is required to file promptly with the appropriate Federal Reserve bank weekly reports showing the details of the transactions, including a description of the securities purchased or sold, of the person for whose account the purchase or sale was made, and the

*Part 133; Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; Regulations, April 10, 1940, as amended, May 10, 1940.

¹ 5 F.R. 1677.

² 5 F.R. 1680.

price at which the purchase or sale was made.*

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.
MAY 10, 1940.

[F. R. Doc. 40-1895; Filed, May 10, 1940;
4:11 p. m.]

PART 135—GENERAL LICENSE NO. 5 UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED, AND REGULATIONS ISSUED PURSUANT THERETO, RELATING TO TRANSACTIONS IN FOREIGN EXCHANGE, ETC.

A general license is hereby granted authorizing the payment to the United States and agencies and instrumentalities thereof of taxes, fees, charges, and other items payable to the United States and agencies and instrumentalities thereof from accounts in which Norway, Denmark, the Netherlands, Belgium or Luxembourg or a national thereof has a property interest within the meaning of the Executive Order of April 10, 1940, as amended,¹ and the Regulations issued thereunder.² **

[SEAL] HERBERT E. GASTON,
Acting Secretary of the Treasury.
MAY 10, 1940.

[F. R. Doc. 40-1896; Filed, May 10, 1940;
4:11 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

CHAPTER II—CORPS OF ENGINEERS WAR DEPARTMENT

PART 203—BRIDGE REGULATIONS

§ 203.710 *State of California; bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connected bays and river systems tributary thereto.*

SPECIAL REGULATIONS

(b) * * *

(15) *Sonoma Creek—Sears Point Cut-off Bridge.* (i) Notice to bridge operators. A bridge tender shall be maintained continuously at the above bridge between 8:00 a. m. and 8:00 p. m. each Saturday during the months of June,

*Part 134; Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; Regulations, April 10, 1940, as amended May 10, 1940.

**Part 135; Sec. 5 (b), 40 Stat. 415 and 966; Sec. 2, 48 Stat. 1; Public Resolution No. 69, 76th Congress; 12 U.S.C. 95a; E.O. 6560, Jan. 15, 1934; E.O. 8389, April 10, 1940; E.O. 8405, May 10, 1940; Regulations, April 10, 1940, as amended May 10, 1940.

¹ 5 F.R. 1677.

² 5 F.R. 1680.

July, August and September of each year.

(ii) Except as provided above, the owner of the above bridge shall, upon due notice, cause the bridge to be opened for any vessel desiring to pass. The notice shall state the time at which the vessel desires to pass through the bridge and shall be given at least four hours in advance of such time, either by mail or telephone, to the State of California, Division of Highways, Napa River Bridge, Vallejo, California, or verbally to the bridge tender at the Sonoma Creek Bridge.

(iii) There shall be posted in a conspicuous place on each side of the bridge, a copy of these regulations, together with a sign, stating to whom notice should be given when it is desired that the bridge be opened, the sign giving the necessary directions for communication with such person by telephone or otherwise. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499) [Regs., Apr. 20, 1940 (E.D. 6371 (Calif.—Sonoma Creek—Vallejo)—5/6)]

[SEAL] E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 40-1919; Filed, May 11, 1940;
11:57 a. m.]

PART 203—BRIDGE REGULATIONS

§ 203.710 *State of California; bridge regulations for all navigable waterways of the United States within California, including San Francisco Bay and connected bays and river systems tributary thereto.*

SPECIAL REGULATIONS

(b) * * *

(16) *Newark Slough—Southern Pacific Company Bridge near Newark—*

(i) *Notice to bridge operators.* A bridge tender shall be maintained continuously at the above bridge between 10:00 a. m. and 6:00 p. m. daily. Vessels passing upstream through the bridge between the above hours and desiring to return between 6:00 p. m. and 10:00 a. m. may give notice of said desire to the bridge tender when passing upstream and the bridge shall be opened for such vessels passing downstream.

(ii) Except as provided above, the owner of the above bridge shall, upon due notice, cause the bridge to be opened for any vessel desiring to pass. The notice shall state the time at which the vessel desires to pass through the bridge and shall be given at least twenty-four hours in advance of such time. Notice shall be given to the Superintendent, Southern Pacific Company, Oakland Pier, Oakland, California.

(iii) There shall be posted in a conspicuous place on each side of the bridge a copy of these regulations, together with

a sign, stating to whom notice should be given when it is desired that the bridge be opened, the sign giving the necessary directions for communication with such person by telephone or otherwise. (Sec. 5, River and Harbor Act, Aug. 18, 1894, 28 Stat. 362; 33 U.S.C. 499) [Regs., Apr. 18, 1940 (E.D. 6371 (Southern Pacific R. R.—Newark Slough)—1/1)]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 40-1920; Filed, May 11, 1940;
11:57 a. m.]

TITLE 34—NAVY

CHAPTER I—DEPARTMENT OF THE NAVY

CHANGES IN BUREAU OF NAVIGATION
MANUAL No. 13

NOVEMBER 6, 1939.

The following changes in the Bureau of Navigation Manual, 1925, are effective upon receipt, and the accompanying pages will be placed in their appropriate place in the manual.

C. W. NIMITZ,
Chief of Bureau.

Approved:

CHARLES EDISON,
Acting Secretary of the Navy.

PART 2—OFFICER PERSONNEL

§ 2.8002 *Benefit Guide.* (1) The pamphlet Benefit Guide for Officers and Enlisted Men, United States Navy and United States Naval Reserve, is published by the Bureau and contains all information regarding benefits to which beneficiaries of officers and enlisted men of the Regular Navy and Naval Reserve are entitled. This pamphlet describes all papers, documents, etc., that are necessary to substantiate claims, and also gives a list of charitable organizations which furnish emergency aid to families of deceased officers and men.

(2) The many cases handled by the Bureau show that in the majority of cases the beneficiaries are unaware or have incorrect information of the benefits accruing to them, sometimes to their inconvenience and pecuniary loss.

(3) A copy of the guide will be furnished on application. It should be forwarded to the beneficiary for his information and use.

§ 2.8003 *Data on living costs.* (1) From time to time the Bureau receives bulletins from the Department of Commerce giving the living costs in various localities.

(2) The Bureau will furnish such data as is at its disposal on application.

§ 2.8004 *Indebtedness and note endorsing.* (1) The assistance of all naval personnel is desired in reducing correspondence on the subject of the personal indebtedness of officers and men.

(2) The Bureau will not act as a collecting agency.

(3) Commanding officers will investigate each indebtedness complaint and take such action as the case warrants. The Bureau desires that these matters be handled locally.

(4) Every discouragement should be offered to firms selling on the installment plan or other forms of credit articles not classed as necessities. Such firms understand that they have recourse to civil action; that few naval men have property which can be attached; some are unaware of the fact that the pay of naval men cannot be garnished.

(5) In cases of judgment by civil courts against naval personnel, appropriate action will be taken by commanding officers or by this Bureau.

(6) Officers frequently find themselves involved in financial difficulties through having endorsed notes for irresponsible members of the naval service. If officers are unwilling or unable to make good the sum involved in a note defalcation, they should never endorse it.

(7) Cases growing out of the ordinary kind of indebtedness meet with a certain amount of sympathy in the Bureau, though chronic cases are tried by general court martial.

(8) The Bureau has no intention of discouraging officers in seeking financial assistance from their brother officers to meet legitimate needs. It does desire, however, to impress on all officers a full realization of the responsibility that they assume when they endorse a note.

PART 6—NAVAL RESERVE

SUBPART A—GENERAL—ADMINISTRATION AND ORGANIZATION—ALL CLASSES

TABLE OF CONTENTS

Sec.	Policy
6.1101	Purpose of Naval Reserve.
6.1102	Composition of the Naval Reserve.
6.1103	General policies.
6.1104	Ten-year policy.
6.1105	Naval Reserve Policy Board.
<i>Purpose and Composition of Classes</i>	
6.1201	Purpose of Fleet Reserve.
6.1202	Composition of Fleet Reserve.
6.1203	Purpose of Organized Reserve.
6.1204	Composition of Organized Reserve.
6.1205	Purpose of Volunteer Reserve.
6.1206	Composition of the Volunteer Reserve.
6.1207	Purpose of Merchant Marine Reserve.
6.1208	Composition of Merchant Marine Reserve.
6.1209	Ranks, grades and ratings allowed.
<i>Organization</i>	
6.1301	Organization of Fleet Reserve.
6.1302	Organization of the Organized Reserve.
6.1303	The Division.
6.1304	The Battalion.
6.1305	The Squadron.
6.1306	Tables of Organization.
6.1307	Organization of Volunteer Reserve.
6.1308	Naval Communication Reserve.
6.1309	Medical Specialists Units.
6.1310	Laboratory Research Units.
6.1311	Organization of Merchant Marine Reserve.
6.1312	Naval Intelligence Reserve.
6.1313	Bands.

Administration

Sec.	
6.1401	Administration while performing active duty.
6.1402	Administration while on inactive duty.
6.1403	Administrative duties of commanding officers of the Naval Reserve organizations.
6.1404	Administrative duties of Commandants of naval districts.
6.1405	Administrative duties of the Bureau of Navigation.
6.1406	Quotas of officers and men.
6.1407	Establishment of organizations.
6.1408	Naval Reserve flag for merchant vessels.
6.1409	Naval Reserve yacht pennant.
6.1410	Accountability for funds.
6.1411	Shipkeepers, number allowed.

Precedence

6.1501	Precedence of officers on inactive duty.
6.1502	Precedence of officers on active duty during peacetime.
6.1503	Precedence of officers on active duty during wartime.
6.1504	Relative precedence of officers below grade of Ensign.
6.1505	Precedence in parades.
6.1506	Date of rank of former officers of Navy or Coast Guard appointed in Naval Reserve.

Physical Examinations and Standards

6.1601	Physical examinations of officers—when required.
6.1602	Quadrennial physical examinations of officers.
6.1603	Physical examination of officers—by whom conducted.
6.1604	Physical examinations—enlisted men.
6.1605	Physical examination for repeated periods of training and group training.
6.1606	Physical standards.
6.1607	Reports and records of physical examinations.

Orders to Active and Training Duty

6.1701	Individual orders to officers for training duty.
6.1702	Individual orders to enlisted men for training duty.
6.1703	Group orders for officers and men for short periods of training duty.
6.1704	Release of officers and men from active or training duty in time of peace.
6.1705	Orders to officers and men to active duty in time of peace.
6.1706	Orders to officers to duty as technicians and scientists.
6.1707	Orders to officers and men to active duty in time of war.
6.1708	Release of officers and men from active duty in time of war.
6.1709	Mobilization.
6.1710	Endorsements on orders for active or training duty.
6.1711	Procedure when found physically disqualified for active or training duty.

Addresses, Official Residence, Records, Correspondence, and Reports

6.1801	Official designation of officers and men.
6.1802	Official residence.
6.1803	Members of Fleet Reserve and retired enlisted men to report changes of official residence to the Bureau of Supplies and Accounts and Commandant of district.
6.1804	Permission to leave the United States.
6.1805	Merchant Marine Reserve—Changes of employment.
6.1806	Passports.
6.1807	Service records—preparation of, entries in, and disposition of.
6.1808	Marks for professional qualification.
6.1809	Custody of records.
6.1810	Fitness reports of officers.
6.1811	Official channels for correspondence.

- Sec.
6.1812 File numbers of personnel.
6.1813 Correspondence to be dated.
6.1914 Official residence to be shown.
6.1815 References to be quoted in correspondence.
6.1816 When endorsements shall not be used.
6.1817 Extra copies of correspondence not desired by Bureau of Navigation.
6.1818 Naval aviator designations and folders.
6.1819 Letter of authority to solo naval aircraft.
6.1820 Courtesy cards.
6.1821 Continuous-service certificates.
6.1822 Forms to be used.

Miscellaneous

- 6.1901 Employment of reservists in Civilian Branch of Public Service.
6.1902 Military leave.
6.1903 Civilian guests—Naval Reserve vessels.
6.1904 Appointment of midshipmen from enlisted men.
6.1905 Deaths.
6.1906 Bonding of supply officers.
6.1907 Naval militia.

SUBPART B—PROCUREMENT

General Requirements

- 6.2101 Persons eligible for Naval Reserve.
6.2102 Procurement policy—general.
6.2103 Procurement of officers.
6.2104 Officers, cadets, and midshipmen—by whom appointed and term of service.
6.2105 Appointment of officers—responsibility for.
6.2106 Procedure in making application for appointment.
6.2107 Ages for original appointments as officers.

Requirements for Original Appointments of Officers, Organized Reserve and Volunteer Reserve (General Service)

- 6.2201 Officers of classes D-O, DE-O, E-O, D-V (G), DE-V (G), and E-V (G).
6.2202 Aviation officers, classes A-O and A-V (G).
6.2203 Aviation officers, class A-V (N).
6.2204 Medical officers, classes MC-O and MC-V (G).
6.2205 Dental officers, class DC-V (G).
6.2206 Supply officers, class SC-O and SC-V (G).
6.2207 Chaplains, class ChC-V (G).
6.2208 Probationary ensigns, Volunteer Reserve (general service).

Requirements for Original Appointment of Officers, Volunteer Reserve (Special Service)

- 6.2301 Educational and professional requirements applicable to all classes.
6.2302 Deck officers, Volunteer Reserve (special service).
6.2303 Engineer officers, Volunteer Reserve (special service).
6.2304 Aviation special service officers, class A-V (S).
6.2305 Civilian aviation pilots, Volunteer Reserve (special service), class A-V (T).
6.2306 Aviation ground officers, Volunteer Reserve (special service), class A-V (K).
6.2307 Communication officers, Volunteer Reserve (special service), class C-V (S).
6.2308 Intelligence officers, Volunteer Reserve (special service), class I-V (S).
6.2309 Ordnance officers, Volunteer Reserve (special service), class O-V (S).
6.2310 Legal officers, Volunteer Reserve (special service), class L-V (S).
6.2311 Medical officers, Volunteer Reserve (special service), class MC-V (S).
6.2312 Dental officers, Volunteer Reserve (special service), class DC-V (S).
6.2313 Supply officers, Volunteer Reserve (special service), class SC-V (S).

- Sec.
6.2314 Chaplains, Volunteer Reserve (special service), class ChC-V (S).
6.2315 Naval constructors, Volunteer Reserve (special service), class CC-V (S).
6.2316 Civil engineers, Volunteer Reserve (special service), class CEC-V (S).

Merchant Marine Reserve Officers

- 6.2401 Requirements for appointment.
6.2402 Cadets, Merchant Marine Reserve.

Enlistments and Reenlistments

- 6.2501 Men—by whom enlisted.
6.2502 Ages for original enlistments.
6.2503 Naval Reserve recruiting officers.
6.2504 Term of enlistments and extensions.
6.2505 Reenlistments.
6.2506 Service numbers.
6.2507 Procedure for recruiting.
6.2508 Records of recruits.
6.2509 Vaccination and inoculation of recruits.
6.2510 Enlistments in Organized Reserve and Volunteer Reserve, classes O-1, O-2, V-1, and V-2.
6.2511 Enlistments in Naval Communication Reserve, class V-3.
6.2512 Enlistments in Volunteer Reserve, class V-4.
6.2513 Enlistments in Volunteer Reserve, class V-5.
6.2514 Enlistments in the Volunteer Reserve, class V-6.
6.2515 Enlistments in Merchant Marine Reserve, class M-1.
6.2516 Reports of rejections for physical defects.

SUBPART C—PROMOTION—ORGANIZED RESERVE, VOLUNTEER RESERVE, AND MERCHANT MARINE RESERVE

General

- 6.3101 Promotion of officers in time of peace.
6.3102 Promotion of officers in time of war.
Promotions of Officers of the Organized Reserve and Volunteer Reserve (General Service) up to and Including Lieutenant Commander
6.3201 Promotion by seniority on lineal precedence list.
6.3202 Lineal precedence list.
6.3203 Computation of number of vacancies in each grade—Organized Reserve and Volunteer Reserve (general service).
6.3204 Computation of number of vacancies in each rank.
6.3205 Five years' service in grade required.
6.3206 Fifty-six days' active service required.
6.3207 Required to qualify for promotion when due.

Promotions of Officers of the Volunteer Reserve (Special Service) up to and Including Lieutenant Commander

- 6.3301 Computation of numbers of vacancies in each grade, Volunteer Reserve (special service).
6.3302 Eligibility for consideration for promotion—officers, Volunteer Reserve (special service).
6.3303 Officers required to qualify for promotion.

Promotions of Officers of the Merchant Marine Reserve up to and Including Lieutenant Commander

- 6.3401 Eligibility for promotion—Officers of Merchant Marine Reserve.

Promotions of Officers Above Grade of Lieutenant Commander

- 6.3501 Selection boards.
6.3502 Promotion above grade of lieutenant commander in Organized Reserve.
6.3503 Promotion above grade of lieutenant commander in Volunteer Reserve.
6.3504 Promotion above grade of lieutenant commander in Merchant Marine Reserve.
6.3505 Promotion to grade of rear admiral.

- Sec.
6.3506 Officers required to qualify for promotion when due.

Professional Examinations

- 6.3601 Officers required to appear for examinations.
6.3602 Professional examinations to be conducted by supervisory naval examining board.
6.3603 Records of proceedings to be forwarded to statutory naval examining boards.
6.3604 Scope of examination for officers of Organized Reserve and Volunteer Reserve (general service).
6.3605 Scope of examination for officers of Volunteer Reserve (special service).
6.3606 Scope of examination for officers of the Merchant Marine Reserve for promotion to captain and commander.

Advancements and Changes in Ratings of Enlisted Men

- 6.3701 Requirements for advancement in classes O-1 and O-2.
6.3702 Requirements for advancement in classes V-1 and V-2.
6.3703 Requirements for advancement in class V-3.
6.3704 Requirements for advancement in class V-4.
6.3705 Requirements for advancement in class V-5.
6.3706 Requirements for advancement in class V-6.
6.3707 Requirements for advancement in class M-1.
6.3708 Requirements for permanent appointments of chief petty officers.
6.3709 Reports of examination for advancement in rating, N. Nav. 471.
6.3710 Changes in rating in same pay grade.

SUBPART D—TRANSFERS

Transfers Between Classes of Naval Reserve

- 6.4101 Transfer of officers and enlisted men from Organized Reserve.
6.4102 Transfers of officers to Organized Reserve.
6.4103 Transfers of officers to Volunteer Reserve.
6.4104 Transfers of officers to Merchant Marine Reserve.
6.4105 Transfer of officers—by whom effected.
6.4106 Transfers of enlisted men between classes of Naval Reserve.

Transfers Between Battalions, Divisions, and Squadrons, and Other Units

- 6.4201 Officers of Organized Reserve.
6.4202 Officers of Volunteer Reserve.
6.4203 Enlisted men of Organized Reserve.
6.4204 Enlisted men of Volunteer Reserve.
6.4205 Entries of transfers in service records.

Transfers Between Naval Districts

- 6.4301 Transfers of officers.
6.4302 Transfers of enlisted men.
6.4303 Transfers as affecting quota charges.

Transfers Between Ships and Stations

- 6.4401 Officers performing active duty.
6.4402 Enlisted men performing active duty.
6.4403 Officers and men performing training duty.

SUBPART E—2 INSTRUCTION AND TRAINING

Instruction and Training Policy and Assignment of Instructors for Naval Reserve

- 6.5101 Instruction and training policy.
6.5102 Bureau of Navigation charged with the instruction and training of the Naval Reserve.
6.5103 Officers of the Regular Navy as directors and instructors of the Naval Reserve.
6.5104 Officers of the Naval Reserve assigned to duty on Commandant's staff to instruct Naval Reserves.

- Sec.
6.5105 The Commandant of the Navy Yard, Washington, D. C., is charged with the instruction and training of reservists.
6.5106 Assignment of officers to command vessels for training Naval Reserves.
6.5107 Commanding officers of vessels engaged in training Naval Reserves.
6.5108 Commanding officers of Naval Reserve aviation bases.
Instruction of Naval Reserve
6.5201 Means of instruction provided for Naval Reserve.
6.5202 Correspondence courses.
6.5203 Naval War College correspondence courses.
6.5204 Reading courses.
6.5205 Training courses for enlisted men of the Naval Reserve.
6.5206 Naval Reserve lectures.
6.5207 Armory classes.
6.5208 Instruction through radio communication.
Training of Naval Reserve
6.5301 Means of training provided for Naval Reserve.
6.5302 Regular drills.
6.5303 Annual training duty.
6.5304 Appropriate duty.
6.5305 Equivalent instruction or duty.
6.5306 Training duty with pay.
6.5307 Training duty without pay.
6.5308 Group training duty.
Naval Reserve Educational Centers—Enrollment in Correspondence Courses—Instructional Courses
6.5401 Naval Reserve educational centers.
6.5402 Locations of Naval Reserve educational centers and enrollment of Naval Reserve officers in correspondence courses.
6.5403 Applicants eligible for enrollment and method of enrollment.
6.5404 Enrollment in Naval War College correspondence courses.
6.5405 Instructional courses conducted by bureaus and offices.
Commanding Officers of Stations and Vessels to Which Naval Reservists Report for Training Duty—Naval Reserve Instructors
6.5501 Commanding officers of stations and vessels to which Naval Reservists report for training duty.
6.5502 Naval Reserve instructors.
6.5503 Naval Reserve instructors' attendance at regular drills.
6.5504 Duties of Naval Reserve instructors.
6.5505 Travel orders for instructors of the Naval Reserve.
Instruction and Training of the Organized Reserve
6.5601 Officers and men of the Organized Reserve required to perform annual training duty and to attend regular drills.
6.5602 Units of Organized Reserve for purposes of training.
6.5603 Personnel of divisions and squadrons will be instructed and trained in specific duties—additional personnel.
6.5604 Instruction and training of divisions and squadrons specified by the Bureau of Navigation.
6.5605 Schedules of regular drills and annual training to be published in advance.
6.5606 Officers and men of the Organized Reserve required to perform regular drills and annual training duty with the divisions or squadrons to which they are attached.
6.5607 Record of regular drills.
Instruction and Training of the Merchant Marine Reserve
6.5701 Officers and men of Merchant Marine Reserve instructed and trained as individuals.
- Sec.
6.5702 Officers and men of the Merchant Marine Reserve may be authorized to perform training duty.
6.5703 Units of Merchant Marine officers and men authorized to perform regular drills and annual training duty.
6.5704 Training of Merchant Marine Reserve units.
Instruction and Training of the Volunteer Reserve
6.5801 Officers and men of the Volunteer Reserve instructed and trained as individuals.
6.5802 Officers and men of the Volunteer Reserve may be authorized to perform training duty.
6.5803 Organizations of Volunteer Reserve officers and men authorized to perform regular drills and annual training duty.
6.5804 Training of Volunteer Reserve organizations.
6.5805 Officers and men and organizations of the Volunteer Reserve authorized to train with divisions and squadrons of the Organized Reserve.
6.5806 Groups of officers and/or men of the Volunteer Reserve may be organized to conduct instruction and training.
6.5807 Officers of Class A-V(G) required to maintain proficiency as naval aviators.
Naval Reserve Inspection Board
6.5901 The purpose of the Naval Reserve inspection board.
6.5902 Composition of the Naval Reserve inspection board.
6.5903 Duties of the Naval Reserve inspection board.
6.5904 Inspection of units of Volunteer Reserve.
SUBPART F—DISCIPLINE, DISCHARGES, RESIGNATIONS, AND RETIREMENTS
Discipline
6.6101 Naval Reservists subject to Naval regulations.
6.6102 Disciplinary action not barred by release from duty status.
6.6103 Retention on or return to duty status for disciplinary action.
Discharges
6.6201 Discharges of officers and men.
6.6202 Discharge of officers for cause.
6.6203 Reasons for discharge of officers.
6.6204 Discharge of retired officers and men.
6.6205 Resignations of Naval Reserve officers.
6.6206 Discharge of enlisted men in time of peace.
6.6207 Honorable discharge.
6.6208 Character of discharge to be entered on discharge certificate.
Honorary Retired List
6.6301 Honorary retired list defined.
6.6302 Discretionary transfer of officers to the honorary retired list.
6.6303 Service eligibility consideration for transfer to honorary retired list.
6.6304 Retirement for age in grade.
6.6305 Compulsory transfer of officers and enlisted men to honorary retired list.
6.6306 Advancement on retired list of Naval Reservists who have been specially commended.
6.6307 Members of the honorary retired list—Pay of.
6.6308 Transfers to honorary retired list—by whom effected.
SUBPART G—PAY, ALLOWANCES, AND COMPENSATION—ORGANIZED RESERVE, VOLUNTEER RESERVE, AND MERCHANT MARINE RESERVE
Active duty pay and allowances
6.7101 Active and training duty pay commissioned officers.
6.7102 Active and training duty pay and allowances midshipmen, warrant officers, nurses, and enlisted men.
- Sec.
6.7103 Pay for thirty-first day of month.
6.7104 Reservists in travel status entitled to pay.
6.7105 Flight pay.
6.7106 Mileage, officers.
6.7107 Transportation, men.
6.7108 Transportation of dependents.
6.7109 Transportation of household effects.
6.7110 Subsistence, men.
6.7111 Subsistence allowances while performing short periods of training duty without pay.
Inactive duty pay and allowances
6.7201 Drill pay.
6.7202 Compensation limited to 60 drills.
6.7203 Flight pay—pilots.
6.7204 Compensation for command.
6.7205 Not entitled to drill pay or command pay while on active (or training) duty.
6.7206 Compensation paid by Bureau of Supplies and Accounts.
Compensation for injuries
6.7301 Compensation for injury under U. S. Employees' Compensation Commission.
6.7302 Pensions for disability under Veterans' Administration.
6.7303 Medical treatment and hospitalization for sickness and disease.
6.7304 Naval Reservists in receipt of pensions, disability allowances, etc., not permitted to participate in Naval Reserve activities in pay status.
6.7305 Certificate for disability allowance.
Pay for Members of Honorary Retired List
6.7401 Retired pay—honorary retired list.
SUBPART H—MAINTENANCE—ORGANIZED RESERVE, VOLUNTEER RESERVE, AND MERCHANT MARINE RESERVE
Policy
6.8101 Policy relative to furnishing equipment.
Armories
6.8201 Procurement of Armories.
6.8202 Armory expenses.
Naval Reserve Aviation Bases
6.8301 Procurement of Naval Reserve aviation bases.
6.8302 Procurement of aviation equipment.
6.8303 Allotments to the Bureau of Aeronautics.
Vessels and Boats for Training Purposes
6.8401 Assignment of floating equipment.
6.8402 Maintenance, operation, and repairs—Floating equipment.
Medical Supplies
6.8501 Allotments to the Bureau of Medicine and Surgery.
Government Property
6.8601 Records of invoices and issues.
6.8602 Accountability and responsibility for Government property.
6.8603 Procurement of material and equipment.
6.8604 Standard allowance list for Naval Reserve armories.
6.8605 Navy training courses allowed for use by Naval Reserve.
6.8606 Equipment loaned to States for use of Naval Militia.
Uniforms
6.8701 Uniforms prescribed.
6.8702 Uniforms required, officers.
6.8703 When uniforms are to be worn.
6.8704 Uniform allowance for officers, Organized Reserve, Volunteer Reserve, and Merchant Marine Reserve.
6.8705 Gratuitous issue of uniforms to enlisted men of the Organized Reserve, Volunteer Reserve, and Merchant Marine Reserve in time of peace.

Sec.

- 6.8706 Men required to replace lost or damaged articles of uniform.
6.8707 Stowage of uniforms in armories.
6.8708 Issue of bedding, clothes bags, and buckets.

SUPPORT I—FLEET RESERVE

Purpose

- 6.9101 Purpose.
Composition of Fleet Reserve
6.9201 Officers.
6.9202 Enlisted men.

Administration

- 6.9301 Maintenance of records for classes F-2, F-3, F-4, and F-5, and physical examinations of Fleet Reserve.
6.9302 Permission to leave United States for short periods.
6.9303 Permission to leave the United States for extended periods.

Appointment and Transfer to the Fleet Reserve

- 6.9401 Assignment of officers to Fleet Reserve.
6.9402 Assignment to class F-2 upon termination of service in the Regular Navy.
6.9403 Restrictions on transfers and assignment to class F-2.
6.9404 Applications for Fleet Reserve.
6.9405 Transfer to class F-4 of men who enlisted in Regular Navy prior to July 1, 1925.
6.9406 Transfer of citizens of insular possessions from the Navy to Fleet Reserve.
6.9407 Computation of service for transfer to the Fleet Reserve.
6.9408 Transfer to the Fleet Reserve, class F-5.
6.9409 Travel allowance for men transferred to the Fleet Reserve.

Records and Reports

- 6.9501 Service records.
6.9502 Record of quadrennial physical examinations and professional qualifications.

Duties of Fleet Reservists

- 6.9601 Duties, classes F and F-2.
6.9602 Duties, classes F-3, F-4, and F-5.
6.9603 Release of men of classes F-2, F-4, and F-5 to inactive duty.
6.9604 Physical examinations.

Discipline

- 6.9701 Members of Fleet Reserve subject to naval discipline.
6.9702 Discharge for disciplinary reasons.

Separation from Fleet Reserve

- 6.9801 Discharge.
6.9802 Retirement of enlisted men transferred to Naval Reserve force prior to July 1, 1925.
6.9803 Retirement of enlisted men transferred to Naval Reserve after July 1, 1925.
6.9804 Retirement due to medical survey.

SUBPART J—AVIATION CADETS AND OFFICERS A-V (N)

Purpose

- 6.10101 Purpose.

Composition

- 6.10201 Composition.

Procurement

- 6.10301 Sources of procurement.
6.10302 Qualifications for selection, aviation cadets.
6.10303 Method of selection, aviation cadets.
6.10304 Alternates—eligibles.
6.10305 Applications and enlistments.
6.10306 Appointments Class A-V (N).

Training

Sec.

- 6.10401 Flight training.
6.10402 Active duty.
6.10403 Orders to active duty for flight training.
6.10404 Designations.

Discharges and Transfers

- 6.10501 Discharges and transfers of enlisted men.
6.10502 Discharge of aviation cadets.
6.10503 Discipline.
6.10504 Resignations.

General

- 6.10601 Pay and allowances, aviation cadets.
6.10602 Pay and allowances, officers of class A-V (N).
6.10603 Insurance.
6.10604 Travel under orders.
6.10605 Uniforms.
6.10606 Injuries—eligibility for compensation.
6.10607 Lump sum payments.

Miscellaneous

- 6.10701 Promotion.
6.10702 Orders—officers, class A-V (N).
6.10703 Precedence.
6.10704 Records.

Purpose

- 6.11101 Purpose.

Composition

- 6.11201 Composition of Naval Reserve Nurse Corps.

Organization and Administration

- 6.11301 Organization of Naval Reserve Nurse Corps.
6.11302 Administration of Naval Reserve Nurse Corps.
6.11303 Addresses of nurses and changes in marital status.
6.11304 Subject to rules and regulations.
6.11305 Annually to report to Bureau of Medicine and Surgery.

Procurement

- 6.11401 District quotas.
6.11402 Term of appointment.
6.11403 Qualifications for appointment.
6.11404 Physical examinations.
6.11405 Assignment to active duty.

Pay and Allowances

- 6.11501 Active duty pay and allowances.
6.11502 Travel under orders.
6.11503 Uniform allowance.
6.11504 Medical treatment and benefits for injury.
6.11505 Medical treatment and hospitalization for sickness and disease.

Discharges

- 6.11601 Discharge in time of peace.
6.11602 Discharge for inaptitude.

SUBPART A—GENERAL—ADMINISTRATION AND ORGANIZATION—ALL CLASSES

Policy

§ 6.1101 *Purpose of Naval Reserve.* The purpose of the Naval Reserve is to provide a force of qualified officers and enlisted men who are available for immediate mobilization in the event of a national emergency, and who together with the active and retired personnel of the regular Navy can effectively meet the needs of the expanding naval establishment while an adequate flow of newly trained personnel is being established.

§ 6.1102 *Composition of the Naval Reserve.* The Naval Reserve as established by the Naval Reserve Act of 1938 is a

component part of the United States Navy and consists of—

The Fleet Reserve,
The Organized Reserve,
The Volunteer Reserve,
The Merchant Marine Reserve.

§ 6.1103 *General policies.* (1) General policies relating to the size, location, organization, administration, training, and mobilization of the Naval Reserve, before being adopted will be submitted to the Secretary of the Navy for approval, via the Chief of Naval Operations.

(2) The closest cooperation will be maintained between the Navy and the States supporting a Naval Militia in accordance with § 6.8606.

§ 6.1104 *Ten-year policy.* Subject to appropriations made annually by Congress, the Naval Reserve Act of 1938 requires that the maximum strength of trained and qualified officers and enlisted men in the several classes, as determined by the Secretary of the Navy, be reached before July 1, 1948, and that this be accomplished as nearly as possible in equal annual increments.

§ 6.1105 *Naval Reserve Policy Board.* (1) For the purpose of advising the Secretary of the Navy on the formulation of Naval Reserve policies there shall be convened annually at the Navy Department a Naval Reserve policy board, at least half the members of which shall be Naval Reserve officers called to this duty from an inactive duty status, equitable representation being given to the Organized Reserve, the Volunteer Reserve, and the Merchant Marine Reserve.

(2) The Bureau of Navigation will determine the date on which the above Board shall be convened during any fiscal year and will prescribe its organization and make other necessary arrangements with relation thereto.

(3) Membership on the Board of Naval Reserve officers on an inactive duty status shall be on a permanent basis, except that each year at least one-third such members shall be replaced. These officers shall be selected for this duty with a view to equitable representation on the Board of the various classes of the Naval Reserve from the various sections of the continental United States. Alternate members shall be appointed, the same principles being observed in their selection, in order that routine and unexpected vacancies may be filled from a list of officers who have had full opportunity to prepare themselves for this important duty.

(4) Questions to be placed on the agenda for the sessions of the Board shall be submitted, as they arise, to the various members and alternates, for their preliminary study.

Purpose and Composition of Classes

§ 6.1201 *Purpose of Fleet Reserve.* The purpose of the Fleet Reserve is as stated in § 6.9101 hereof.

§ 6.1202 *Composition of Fleet Reserve.* The composition of the Fleet Reserve

shall be in accordance with the provisions of §§ 6.9201-6.9202.

§ 6.1203 *Purpose of Organized Reserve.* The purpose of the Organized Reserve is to provide a trained force of officers and men which added to qualified personnel from other sources will be adequate in numbers and composition to complete the war organization of the United States Fleet.

§ 6.1204 *Composition of Organized Reserve.* (1) The Organized Reserve shall consist of officers and men required to perform annual training and other duties and who shall be available for immediate mobilization.

(2) The officers of the Organized Reserve shall be divided into classes designated as follows:

D-O. Deck officers, commissioned and warrant, including boatswains and gunners.

E-O. Engineer officers, commissioned and warrant, including electricians, radio electricians, carpenters, and machinists.

DE-O. Deck and engineer commissioned officers.

A-O. Commissioned aviation flight officers.

SC-O. Supply officers, commissioned and warrant, including pay clerks.

MC-O. Medical officers, commissioned and warrant, including pharmacists.

(3) Enlisted men of the Organized Reserve shall be divided into classes designated as follows:

O-1. Enlisted men of the surface component.

O-2. Enlisted men of the aviation component.

§ 6.1205 *Purpose of Volunteer Reserve.* The purpose of the Volunteer Reserve is to provide a force of qualified officers and men in numbers which added to the officers and men in other branches of the reserve will be adequate to fulfill the purpose of the Naval Reserve.

§ 6.1206 *Composition of the Volunteer Reserve.* (1) The Volunteer Reserve shall be composed of those members of the Naval Reserve not assigned to the Fleet Reserve, the Organized Reserve, or the Merchant Marine Reserve, who are qualified or partially qualified for prescribed mobilization duties.

(2) The officers of the Volunteer Reserve shall be divided into classes designated as follows:

D-V (G). Deck officers, commissioned and warrant, including boatswains, and gunners, qualified for general detail afloat or ashore.

D-V (P). Commissioned deck officers (General Service) appointed in probationary status and, after qualification and transfer to D-O or D-V (G), available for general detail, afloat or ashore.

D-V (S). Commissioned deck officers qualified for specialist duties.

E-V (G). Engineer officers, commissioned and warrant, including electrici-

cians, carpenters, and machinists, qualified for general detail afloat or ashore.

E-V (P). Commissioned engineer officers (General Service) appointed in probationary status and, after qualification and transfer to E-O or E-V (G), available for general detail, afloat or ashore.

E-V (S). Commissioned engineer officers qualified for specialist duties.

DE-V (G). Commissioned deck and engineer officers qualified for general detail afloat or ashore.

DE-V (S). Commissioned deck and engineer officers qualified for specialist duties.

A-V (N). Commissioned aviation flight officers, detailed to active duty in the aeronautic organization of the Navy immediately following their graduation from Pensacola and designation as naval aviators.

A-V (G). Commissioned aviation officers holding designation as Naval aviators, qualified for general detail afloat or ashore.

A-V (K). Commissioned aviation ground officers restricted to ground duties other than those prescribed for class A-V (S).

A-V (S). Commissioned aviation officers qualified for specialist duties.

A-V (T). Commissioned civilian pilots.

C-V (G). Communication officers, commissioned and warrant, including radio electricians, qualified for general detail afloat or ashore.

C-V (S). Commissioned communication officers qualified for specialist duties.

SC-V (G). Supply officers, commissioned and warrant, including pay clerks qualified for general detail afloat or ashore.

SC-V (P). Supply officers (General Service), commissioned in probationary status and, after qualification and transfer to SC-O or SC-V (G), available for general detail, afloat or ashore.

SC-V (S). Commissioned supply officers, qualified for specialist duties.

MC-V (G). Medical officers, commissioned and warrant, including pharmacists, qualified for general detail afloat or ashore.

MC-V (S). Medical officers qualified for specialist duties.

DC-V (G). Commissioned dental officers qualified for general detail afloat or ashore.

DC-V (S). Commissioned dental officers qualified for specialist duties.

ChC-V (G). Commissioned chaplains qualified for general detail afloat or ashore.

ChC-V (S). Commissioned chaplains qualified for specialist duties.

CC-V (S). Commissioned Naval constructors.

CEC-V (S). Commissioned civil engineers.

I-V (S). Intelligence officers, commissioned and warrant, qualified for specialist duties.

O-V (S). Commissioned ordnance officers, qualified for specialist duties.

L-V (S). Commissioned legal officers. Aviation Cadets, U. S. Naval Reserve. Midshipmen, U. S. Naval Reserve. Nurses, U. S. Naval Reserve.

(3) The enlisted men of the Volunteer Reserve shall be divided into classes designated as follows:

V-1. Enlisted men associated with battalions or divisions of the Organized Reserve.

V-2. Enlisted men associated with squadrons of the Organized Reserve.

V-3. Enlisted men mostly of communication ratings comprising the enlisted personnel of the Naval Communication Reserve.

V-4. Enlisted men for the performance of duties outside the normal scope of their naval rating.

V-5. Men enlisted as seamen second class for elimination flight training.

V-6. Enlisted men not eligible for any other class of the Volunteer Reserve.

§ 6.1207 *Purpose of Merchant Marine Reserve.* The purpose of the Merchant Marine Reserve is to provide officers and men for service on Merchant vessels and to provide officers directly connected with the operation and management of such vessels when commissioned in the Navy. In so far as practicable, it is contemplated that officers and men of the Merchant Marine Reserve procured for service afloat will be assigned to duty in their own vessels.

§ 6.1208 *Composition of Merchant Marine Reserve.* (1) The Merchant Marine Reserve shall be composed of those members of the Naval Reserve who follow, or who have within 3 years followed the sea as a profession, or who are employed in connection with the seafaring profession, or men who are desirable for training for service on board public vessels of the United States, or such other seagoing vessels documented under the laws of the United States as may be approved by the Secretary of the Navy.

(2) The officers of the Merchant Marine Reserve shall be divided into classes designated as follows:

D-M. Deck officers, commissioned and warrant, including boatswains, qualified for deck or appropriate administrative duties.

E-M. Engineer officers, commissioned and warrant, including electricians, radio electricians, carpenters and machinists, qualified for engineering or other appropriate duties.

SC-M. Supply officers, commissioned and warrant, including pay clerks, qualified for duties as supply or disbursing officers.

MC-M. Commissioned officers, qualified for duties as medical officers.

Cadets, Merchant Marine Reserve, designated as such for officer training for classes D-M or E-M.

(3) Enlisted men of the Merchant Marine Reserve shall be contained in class M-1 thereof.

§ 6.1209 *Ranks, grades, and ratings allowed.* There shall be allowed in the Naval Reserve the various ranks, grades, and ratings corresponding to those in the Regular Navy, but not, however, including the grades of vice admiral and admiral. In addition there shall be allowed the grades of aviation cadet and Cadet, Merchant Marine Reserve.

Organization

§ 6.1301 *Organization of Fleet Reserve.* The Fleet Reserve will not be organized during peacetimes, but will be governed in accordance with the provisions of §§ 6.9101-6.9804.

§ 6.1302 *Organization of the Organized Reserve.* (1) The officers and men of the Organized Reserve will be organized into divisions for the surface component and squadrons for the aviation component for training and mobilization except as noted in paragraph (3) hereof.

(2) In localities where it will contribute to the efficiency of training and administration, divisions may be further organized for these purposes into battalions consisting of from two to five divisions.

(3) (a) Officers and men of the medical department of the Organized Reserve may be assigned to units of the Organized Marine Corps Reserve as directed by the Bureau of Navigation.

(b) Subject to requirements and their own consent in lieu of being attached to a division, battalion, or squadron, officers of the Organized Reserve may be placed on active duty in connection with the administration and training of the Naval Reserve, or if authorized by the Bureau of Navigation assigned appropriate duties in this connection.

§ 6.1303 *The division.* (1) The division is the basic unit of organization for the surface component. It will consist of officers and men of the Organized Reserve attached thereto and officers and men of the Volunteer Reserve associated therewith.

(2) The number of enlisted men of class O-1 attached to each division shall not exceed the number authorized by the Bureau of Navigation for the division as a whole nor for each of the pay grades.

(3) The number of class V-1 men associated with each division shall be sufficient to bring it up to a mobilization strength of 100, and shall not exceed fifty.

(4) Each division is allowed four line officers of the Organized Reserve, one of whom may be a lieutenant commander, and the remainder shall be below that rank. Within his authorized quota, the Commandant may attach one lieutenant commander of the line in addition to the foregoing where this will contribute to its efficiency, but not more than one lieutenant

commander of the line shall be attached to any division. Divisions not attached to battalions are allowed one medical officer and one supply officer of the Organized Reserve. In addition, subject to the approval of the Bureau of Navigation, in each individual case, officers of the Volunteer Reserve may be attached to divisions.

(5) An officer of the Organized Reserve attached to a division thereof who qualifies for promotion to the rank of lieutenant commander, and who, due to the above restrictions, cannot be retained in his division in that rank, may choose one of the following options:

(a) Promotion to lieutenant commander and transfer to the Volunteer Reserve.

(b) Waiver of his right to promotion for a period of 1 year with the privilege of remaining in his organization as an officer of the Organized Reserve in the rank of lieutenant subject to the Commandant's authority to detach any officer from an organization at his discretion.

In case an officer waives his right to promotion, vacancies in the grade of lieutenant commander occurring during the time his promotion is deferred will be filled by the promotion of lieutenants below said officer. At the end of 1 year, or earlier if transferred to the Volunteer Reserve, he will, subject to the usual conditions, be promoted to fill the vacancy normally assigned to the officer in his position on the precedence list. The Bureau of Navigation will be under no obligation to void a waiver for a definite period of time even at the request of the officer concerned. Waivers may be renewed from year to year subject to the approval of the district commandant concerned in each case.

(6) The division shall be commanded by the senior line officer attached thereto who shall be issued orders as commanding officer, by the Commandant. As a prerequisite to command of the division, officers shall be qualified in class D-O or class DE-O. However, consideration will be given to the temporary retention of division commanders assigned as such on April 1, 1939.

§ 6.1304 *The battalion.* (1) The battalion is an organization of the Organized Reserve consisting of from two to five divisions, authorized when its establishment will result in increased training and administrative efficiency.

(2) The number and location of battalions and composition of the staff of the battalion commander are promulgated separately in tables of organization.

(3) The battalion commander shall be an officer of class D-O or class DE-O not above the rank of commander designated by the Commandant. He shall be senior to the division commanders of the battalion and to the line officers on his staff. However consideration will be

given to the temporary retention of battalion commanders assigned as such on April 1, 1939.

(4) The relation of the battalion commander to the division commander in his battalion should be analogous to the relation existing between a division commander afloat and the commanding officers of the ships of his division.

§ 6.1305 *The squadron.* (1) The aviation squadron is the basic unit of organization for the aviation component. It will consist of officers and men of the Organized Reserve attached thereto and officers and men of the Volunteer Reserve associated therewith.

(2) The number of enlisted men of class O-2 attached to each squadron shall not exceed the number authorized by the Bureau of Navigation for the squadron as a whole nor for each of the pay grades.

(3) The number of V-2 men associated with each squadron shall be sufficient to bring it up to a mobilization strength of 122, and shall not exceed 60.

(4) The squadron commander shall be the senior naval aviator attached thereto and shall be a naval aviator of the Organized Reserve designated by the Commandant or of the regular Navy. Including the squadron commander, each squadron is allowed 32 officers of class A-O, not more than 2 of whom may be above the grade of lieutenant, and 1 medical officer and 1 supply officer of the Organized Reserve. In addition, subject to the approval of the Bureau of Navigation, in each individual case, officers of the Volunteer Reserve may be attached to squadrons.

§ 6.1306 *Tables of organization.* Tables of organization will be issued annually by the Bureau of Navigation indicating locations at which organizations of the Naval Reserve are authorized, the character and composition of the organization at each location, the number of officers and men allowed each organization in a pay status and the number of officers of the various grades and classifications, and number of men of the various rates required in the organization for mobilization purposes.

§ 6.1307 *Organization of Volunteer Reserve.* Except as indicated in §§ 6.1303 (3), 6.1305 (3), 6.1308, 6.1309, 6.1310, 6.1311, 6.1312, 6.5102 (4), 6.5703 (1), 6.5803, and 6.5806 (1) the Volunteer Reserve is unorganized and consists of individuals to be mobilized as such and trained either individually or in groups.

§ 6.1308 *Naval Communication Reserve.* (1) Units of the Volunteer Reserve for Communication duties will be composed of officers of classes C-V(G) and C-V(S) and men of class V-3, organized into communication or radio units, for instruction and training. These units may be collectively referred to as the Naval Communication Reserve.

(2) Communication and Radio Units of the Naval Communication Reserve

will consist of officers and men of the above designations residing in the same locality, organized by authority of the District Commandant, with the approval of the Bureau of Navigation and the Chief of Naval Operations. These units will consist of such numbers of officers and men as are designated in paragraph (6) below.

(3) For purposes of administration and training, communication and radio units of the Naval Communication Reserve may be combined into sections, each section to be commanded by a designated section commander, who shall have a staff unit to assist him.

(4) Section commanders are responsible to the District Commandant, through the District Communication Reserve Commander, and such officers of the regular Navy as the Commandant may designate.

(5) Each district will be allowed 1 NCR commander's staff unit and not more than 10 sections, each with its own commander's staff unit. Each section will be allowed a maximum of 10 units, but the total personnel in a district shall not exceed the total quota prescribed by the Department.

(6) Composition of units:

(a) *NCR district commander's staff unit (1 per district).* The complement of the NCR district commander's staff unit is 8 officers and 15 enlisted men of classes, grades, and ratings as specified from time to time by the Bureau of Navigation.

(b) *NCR section commander's staff unit (maximum 10 per district).* The complement of the NCR section commander's staff unit is 5 officers and 7 enlisted men of classes, grades, and ratings as specified from time to time by the Bureau of Navigation.

(c) *NCR radio unit (maximum 10 per section).* The complement of the NCR radio unit is 4 officers and 27 enlisted men of classes, grades, and ratings as specified from time to time by the Bureau of Navigation.

(d) *NCR communication unit.* The complement of the NCR communication unit is that of a radio unit plus one officer and six men for visual communication duties.

(e) The above complements constitute standard units. Commandants may permit variations in the complements of the above units depending on the local procurement conditions.

§ 6.1309 *Medical specialists units.* (1) Medical specialists units are intended to provide groups of qualified medical units which in time of war or national emergency will be assigned to hospital ships, station ships or base hospitals as staff thereof or to augment the Regular Navy Medical Corps staff.

(2) Each medical specialists unit shall be composed of eight medical officers and one dental officer of the Volunteer Reserve (Special Service). In addition, at such time as these units are called into

active service, six nurses of the Naval Reserve Nurse Corps shall be assigned to each unit when their services are desired with that unit. The appointment of medical officers and dental officers in the Volunteer Reserve for filling vacancies in these units shall be in classes MC-V (S) and DC-V (S) as provided in §§ 6.2301-6.2316. The appointment of nurses shall be made in accordance with the provisions of §§ 6.11401-6.11505.

(3) Medical Specialists Units shall be composed of one each of the following specialists, one of whom will be assigned as "Organizer":

- (a) Surgeon.
- (b) Ophthalmo-laryngologist.
- (c) Urologist.
- (d) Psychiatrist.
- (e) Internist.
- (f) Roentgenologist.
- (g) Clinical Pathologist.
- (h) Orthopedist.
- (i) Prosthodontist.

(4) Subject to the recommendations of the Bureau of Medicine and Surgery, each naval district will be assigned a quota of medical specialists units which may be organized and maintained therein. Units in excess of this quota are not authorized. The establishment and disbandment of units shall be governed by the provisions of § 6.1407 (2).

(5) The officer personnel of medical specialists units will be assigned by the District Commandant, on recommendation of the "Organizer," from MC-V (S) and DC-V (S) Naval Reserve officers contained within the district quota for these classes. After due allowance is made for the complete formation of the specialists units assigned to each district, "Alternates" for the various specialists in each unit may be assigned provided the quota of medical and dental officers (Special Service) in the district is not exceeded. These "Alternates" should be younger medical men qualified in the specialties. However, the "Alternates" will not be called for service with the units unless circumstances prevent the principals from serving. In time of national emergency and provided their services are not required with the units, these "Alternates" may be assigned to mobilization stations as unassigned medical specialists.

§ 6.1310 *Laboratory research units.*

(1) Laboratory Research Units are intended to provide groups of qualified laboratory research workers which in time of war or national emergency will be assigned to hospital ships, base hospitals, or to other medical-department activities, to prosecute laboratory research work as required.

(2) Each Laboratory Research Unit shall be composed of 2 medical officers of class MC-V (S) and 12 pharmacists' mates of class V-6.

(3) The establishment and disbandment of such Units shall be governed by the provisions of § 6.1407 (2) hereof.

§ 6.1311 *Organization of Merchant Marine Reserve.* Except that it is the

policy to train members of the Merchant Marine Reserve, as far as practicable, for service in their own vessels, this class is unorganized.

§ 6.1312 *Naval Intelligence Reserve.*

(1) The Naval Intelligence Reserve will consist of officers of class I-V (S) and such enlisted men as may be assigned thereto, in accordance with such instructions as may be issued from time to time, organized by zones and subzones established by commandants of the naval districts for purposes of instruction and training in accordance with the policy and authority of the Chief of the Bureau of Navigation and the Chief of Naval Operations.

(2) The administrative unit for instruction and training is the zone. The subunit of training and instruction is the subzone. Zones and subzones are administered through officers appointed by the District Commandant.

(3) Full advantage should be taken by District Commandants of the many regular officers detailed to various duties at many distant localities, whose interest and responsibilities in intelligence in general provide excellent liaison and advice for Reserve Intelligence personnel.

§ 6.1313 *Bands.* Where authorized by the Bureau, a band may be organized for association with a battalion or squadron of the Organized Reserve. The membership of such band shall be confined to men of classes V-1 and V-2. Instruments or music will not be furnished by the Bureau.

Administration

§ 6.1401 *Administration while performing active duty.* Officers and men of the Naval Reserve, except as otherwise provided herein, while performing active duty will be governed in the same manner in all respects as are officers and men of the Regular Navy.

§ 6.1402 *Administration while on inactive duty.* (1) While on inactive duty, members of the Fleet Reserve will be governed in the manner prescribed in §§ 6.9101-6.9804.

(2) While on inactive duty members of the Organized Reserve, Volunteer Reserve, and Merchant Marine Reserve will be governed in the manner prescribed in §§ 6.1101-6.8705.

§ 6.1403 *Administrative duties of commanding officers of Naval Reserve organizations.* (1) Each Naval Reserve organization will be administered by its commanding officer in accordance with the instructions of the District Commandant and the rules and regulations set forth herein, and in other departmental publications and orders.

(2) The administrative functions of the commanding officer include matters with respect to discipline, preservation of equipment, pay, clothing accounts, reports, returns, and the keeping of records of the organization.

§ 6.1404 *Administrative duties of commandants of naval districts.* (1) The Commandants of the several Naval Districts under the supervision of the

various bureaus and offices concerned are charged with the procurement, administration, training, and readiness for war of the Naval Reserve under their jurisdiction and for the maintenance, operation, and repair of material assigned for this purpose, including armories, aviation bases, and floating equipment. To assist him in these duties, the Commandant may appoint officers of the Naval Reserve, including those in both active- and inactive-duty status to duty on his staff. Such officers will be considered as in the same status as other officers of the Commandant's staff but need not necessarily reside in the vicinity of district headquarters. These officers will not be attached to or associated with divisions, battalions, or squadrons of the Organized Reserve, nor with organizations of the Volunteer Reserve. When practicable and desirable, the Bureau will detail officers of the Regular Navy as Naval Reserve instructors who will be directly responsible to the District Commandant under whom they serve. Unless otherwise indicated in paragraphs (2) and (3) hereof, Naval Reservists are under the jurisdiction of the Commandant of the naval district in which they maintain their official residences, except that for purposes of mobilization they are under the district or activity which controls their mobilization assignment (§ 6.4301).

(2) Members of all classes of the Naval Reserve residing in the District of Columbia, Prince Georges, Montgomery, and Charles Counties, Maryland, and Arlington, Fairfax, Stafford, King George, and Prince William Counties, Virginia, and the city of Alexandria, Virginia, are under the jurisdiction of the Commandant, Navy Yard, Washington, D. C., who is charged with the same duties and responsibilities with relation thereto as are the Commandants of naval districts.

(3) Reservists residing in United States possessions not included within limits of naval districts will be under the supervision of Commandants of naval stations, as follows:

(a) Those residing in Samoa, under the Commandant, Naval Station, Tutuila.

(b) Those residing in Guam, under the Commandant, Naval Station, Guam.

(c) Those residing in the Virgin Islands and Puerto Rico, under the Commandant, Naval Station, Guantanamo Bay, Cuba.

§ 6.1405 *Administrative duties of the Bureau of Navigation.* The Bureau of Navigation is charged with the procurement, education, training, discipline, and distribution of officers and men of the Naval Reserve and with their organization, administration, and mobilization. Accordingly, the principal duties of the Bureau of Navigation may be enumerated as follows:

(a) Determines the number of officers and men required from year to year in the various classes of the Naval Reserve to meet the needs of the Navy and their

apportionment among the various naval districts for purposes of procurement, administration, and training, within appropriations available for these purposes.

(b) Prescribes the details of instruction, training, and other activities of the various units and individuals of the Naval Reserve both ashore and afloat.

(c) Supervises the appointment of officers and the enlistment and reenlistment of men in the Naval Reserve, and the transfers of officers and men from the regular Navy to the Naval Reserve.

(d) Supervises discharges and retirements.

(e) Supervises the promotions of officers and men of the Naval Reserve.

(f) Supervises the transfer of reservists from one class to another of the Naval Reserve.

(g) Supervises the ordering of reservists to and from active or training duty.

(h) Keeps the individual records of officers and men.

(i) Maintains statistics and records of the drilling and training activities of the various organized units and of the various classes within the various naval districts.

(j) Supervises the annual selection of enlisted men of the Naval Reserve for appointment as midshipmen to the Naval Academy.

(k) Supervises the procurement of armories, aviation bases, and equipment for shore instruction.

(l) Supervises the assignment of shipkeepers for vessels assigned to training the Naval Reserve and determines the number to be so assigned; also the number and assignment of reservists for active duty in connection with the other reserve activities.

(m) Is directly responsible for expenditures under the Naval Reserve appropriation. Determines the amount of money required from year to year for the Naval Reserve and prepares and presents the Naval Reserve budget.

(n) Supervises the issue of navigational instruments and allots funds for towing and piloting of vessels assigned to the Naval Reserve.

(o) Determines, and, insofar as practicable, carries into execution the measures that are necessary in time of peace to insure that the personnel of the Merchant Marine shall be of maximum service to the country in time of war.

(p) Carries out insofar as permitted by the funds and personnel available, the policies relating to the Naval Reserve, and apportions the funds and distributes the personnel accordingly.

§ 6.1406 *Quotas of officers and men.* The Bureau of Navigation will publish quotas of officers and men of the Naval Reserve from time to time with designations and for purposes as indicated hereinafter:

(a) The *mobilization quota* for a naval district or for some other activity, such as an office or a bureau of the Navy Department, is the number of officers and

the number of enlisted men in each class of the Naval Reserve required to fill such district's or activity's mobilization needs, or such part thereof as policies with respect to the Naval Reserve may currently require filled.

(b) *Procurement quotas:*

(1) Organized Reserve and Volunteer Reserve (General Service): The procurement quota for the Organized Reserve and the Volunteer Reserve (General Service) is the number of officers and the number of men in each class which a naval district is required to procure and maintain on its rolls for mobilization purposes both within and without the district.

(2) Volunteer Reserve (Special Service):

(a) The procurement quota for the Volunteer Reserve (Special Service) is the number of officers in each class which a naval district is required to procure. Except as indicated in § 6.5804 (2) and in subparagraphs (b) and (c) hereof, the procurement and mobilization quotas for the Volunteer Reserve (Special Service) shall, unless specifically directed otherwise by the Bureau of Navigation, be identical.

(b) Officers of the Volunteer Reserve (Special Service) whose mobilization assignment is controlled by a District Commandant are a charge against such district's procurement quota even though they may have been appointed from another district, or may have their official residence in another district. A change in such an officer's mobilization assignment to or from a district therefore entails a corresponding correction in the charge against the procurement quotas of the respective districts.

(c) Officers of the Volunteer Reserve (Special Service), who are designated by the Bureau of Navigation to fill the mobilization requirements of an office or bureau of the Navy Department and activities which are administered directly by them, will not be charged against the procurement quota of the district from which appointed.

(3) Merchant Marine Reserve: Procurement in the Merchant Marine Reserve is not limited by a quota.

(c) *Allowed quota, Organized Reserve,* is the number of officers and men in each of the classes of the Organized Reserve (required to perform weekly drills and 14 days' annual training duty with pay), not including officers of this class on active duty, which the Commandant is authorized to maintain on the rolls.

(d) *Training quota,* is the number of officers and men of the various classes of the Volunteer Reserve and Merchant Marine Reserve to whom the Commandant is authorized to give 2 weeks' training duty with pay.

§ 6.1407 *Establishment of organizations.*

(1) No battalion, division, or squadron of the Naval Reserve shall be estab-

lished or abolished without the authority of the Chief of Naval Operations and the Secretary of the Navy; nor shall the number of battalions, divisions, or squadrons in any location be increased or decreased without such authority.

(2) Units of the Volunteer Reserve other than sections and units of the Naval Communication Reserve shall be established or abolished by District Commandants in accordance with instructions issued by the Chief of the Bureau of Navigation. In issuing such instructions, due consideration will be given to the recommendations of the Bureau or Office of the Navy Department having cognizance of the specialty for which the unit is maintained.

(3) No section or unit of the Naval Communication Reserve shall be established or abolished without the authority of the Chief of Naval Operations; nor shall the number of such sections or units in any location be increased or decreased without such authority.

§ 6.1408 *Naval Reserve flag for merchant vessels.* (1) A suitable flag or pennant has been prescribed by the Secretary of the Navy, which may be flown from the mainmasthead as an emblem of the Merchant Marine Reserve on seagoing vessels documented under the laws of the United States under a warrant issued for each such vessel by the Secretary of the Navy.

(2) In order to be eligible for such warrant, the vessel must first have been determined by the Chief of Naval Operations as suitable for service as a naval auxiliary in time of war so designated by the Secretary of the Navy and the master or commanding officer and not less than 50 per centum of the other licensed officers must be members of the Navy or the Naval Reserve.

(3) Such flag or pennant shall not be flown in lieu of the National Ensign.

§ 6.1409 *Naval Reserve yacht pennant.* (1) A suitable pennant has been prescribed by the Secretary of the Navy, which may be flown as an emblem of the Naval Reserve from the foremasthead on yachts and similar vessels documented under the laws of the United States, under a warrant issued for each such yacht or similar vessel by the Secretary of the Navy.

(2) In order to be eligible for such warrant, the yacht or similar vessel must first have been determined by the Chief of Naval Operations as suitable for service as a naval auxiliary in time of war, and so designated by the Secretary of the Navy, and the master or owner must be an officer of the Navy or the Naval Reserve.

(3) Such pennant shall not be flown in lieu of the National (or yacht) Ensign.

§ 6.1410 *Accountability for funds.* Any officer or man who by virtue of his position in the Naval Reserve obtains and handles any funds intended for or belonging to any Naval Reserve organi-

zation or individual thereof shall account for the receipt and expenditure of such funds. Accounts are required for funds such as those received from private sources or from the proceeds of social functions given for the benefit of Naval Reserve organizations or as a result of assessments or contributions by members of the organization, etc. The commanding officer of the Naval Reserve organization in receipt of funds of this nature will cause an audit of the funds to be made quarterly by a board appointed by him. This board will consist of at least two officers. The audit shall contain a certificate that the cash, as shown on hand, has been counted and verified by the auditing board. Any shortage of funds shall be reported immediately by the commanding officer of the Naval Reserve organization to the Commandant of the naval district. These accounts and the audits thereof will then be made a part of the record of the Naval Reserve organization. A report of each audit and of the state of the account will be made to the Commandant of the naval district, by the commanding officer within 10 days after completion of the audit.

§ 6.1411 *Shipkeepers, number allowed.* (1) At the beginning of each fiscal year an allotment of funds under the Naval Reserve appropriation will be made to each naval district to cover the active-duty pay and allowances required for duty as shipkeepers. The term "shipkeepers" as herein used applies to all enlisted Reservists on active duty, with pay, during peacetimes, other than training duty, whether employed afloat or ashore. Within his allotment for this purpose, the Commandant will issue the necessary orders to enlisted Reservists selected for this duty, in accordance with § 6.1705.

(2) The Commandants of naval districts may, within their allotments for this purpose, authorize subsistence allowances or quarters allowances or both for enlisted shipkeepers other than those of the Fleet Reserve, in accordance with the provisions of part D, chapter 10, Bureau of Navigation Manual (available in Bureau of Navigation, Navy Department). New authorization will be required in each case upon reenlistment, extension of enlistment, or change of duty, and a copy forwarded to the Bureau of Navigation.

(3) In addition to the foregoing a specified number of enlisted men of the Fleet Reserve for duty as shipkeepers will be allowed for each naval district, whom the Commandant may place on active duty for this purpose. Requests for payment of subsistence or quarters allowances for these shall be submitted to the Bureau for action, the same as for men of the Regular Navy.

(4) Shipkeepers are to be subsisted in general mess either afloat or ashore when practicable. They shall be fur-

nished quarters either afloat or ashore whenever such quarters are available for them.

Precedence

§ 6.1501 *Precedence of officers on inactive duty.* Except while performing active duty, other than training duty, commissioned and warrant officers of the Naval Reserve of the same rank or grade will take precedence among themselves according to date of commission or warrant; and with respect to officers of the Regular Navy next after the junior of their own rank or grade. Officers of the same date of commission or warrant shall take precedence according to the order in which their names appear on the official Naval Reserve Register as kept in the Navy Department.

§ 6.1502 *Precedence of officers on active duty during peacetime.* During peacetime, each officer of the Naval Reserve who reports for active duty other than training duty, on or after July 1, 1938, shall take precedence next after that officer of the Regular Navy of the same rank or grade whose length of service in such rank or grade on the date the active duty began is one-half or the nearest one-half of that of the Reserve officer. In the event the date an officer last reported for active duty should be prior to July 1, 1938, for purposes of precedence he will be considered as having reported for active duty on that date. Thereafter, officers of the Naval Reserve who are advanced to higher grades while performing active duty other than training duty shall, during the continuance of such duty, take precedence among themselves and with other officers of the Navy in accordance with date of such advancement or promotion.

§ 6.1503 *Precedence of officers on active duty during war time.* When mobilized with the Regular Navy for war or a national emergency, each officer of the Naval Reserve shall take precedence next after that officer of the Regular Navy of the same rank or grade whose length of service in such rank or grade on the date of such mobilization is one-half or the nearest one-half of that of the Reserve officer. For purposes of precedence, the date of mobilization of each officer will be the date he last reported for active duty from an inactive duty status, during the war or national emergency for which mobilized but not prior to the date upon which such war or national emergency was declared or proclaimed by proper authority. In the event the date an officer last reported should be prior to the date upon which such war or national emergency was declared or proclaimed by proper authority, he will be considered as having reported for active duty on the later date. Thereafter, officers of the Naval Reserve who are advanced to higher grades while perform-

ing active duty other than training duty, shall during the continuance of such active duty, take precedence among themselves and with other officers of the Navy in accordance with the date of such advancement or promotion. Where an officer reports for active duty during a war or national emergency subsequent to the date upon which such war or national emergency was declared or proclaimed by proper authority, he will be considered as having been mobilized on the date he so reported for active duty.

§ 6.1504 *Relative precedence of officers below grade of ensign.* The relative precedence of ensigns, commissioned warrant officers, aviation cadets, midshipmen, cadets, Merchant Marine Reserve, and warrant officers, is as follows:

- (a) Ensigns, U. S. N., and U. S. N. R.
- (b) Commissioned warrant officers, U. S. N., and U. S. N. R.
- (c) Aviation cadets.
- (d) Midshipmen, U. S. N., and U. S. N. R.
- (e) Cadets, Merchant Marine Reserve.
- (f) Warrant officers, U. S. N., and U. S. N. R.

§ 6.1505 *Precedence in parades.* In parades of forces which include United States troops, the order of precedence will be as follows:

- (a) Cadets, U. S. Military Academy.
- (b) Midshipmen, U. S. Naval Academy.
- (c) Cadets, U. S. Coast Guard.
- (d) Regular Army.
- (e) U. S. Marines.
- (f) U. S. Navy.
- (g) U. S. Coast Guard.
- (h) National Guard organizations which have been federally recognized.
- (i) Marine Corps Reserve.
- (j) Naval Reserve.
- (k) Other organizations of the Organized Reserve, National Guard, Naval Militia, Reserve Officers Training Corps, and other training units in the order prescribed by the Grand Marshal of the parade.

(l) Veterans and other patriotic organizations in the order prescribed by the Grand Marshal of the parade.

§ 6.1506 *Date of rank of former officers of Navy or Coast Guard appointed in Naval Reserve.* Former officers of the Navy or Coast Guard who are appointed in the Naval Reserve in the same grades or ranks held in the Regular Navy or Coast Guard as a result of application therefor made within 1 year from date of resignation from the Navy or Coast Guard, shall be given the same date of rank in time of peace as that held by them in the Navy or Coast Guard.

Physical Examinations and Standards

§ 6.1601 *Physical examinations of officers—when required.* (1) A candidate for appointment as an officer is required to take a physical examination.

(2) Naval Reserve officers are required to take physical examinations for—

(a) Promotion.

(b) Active duty or training duty and release therefrom. Except as provided for repeated periods of training or other duty, and short periods of group training, a Naval Reserve officer is required to take a physical examination prior to reporting for active duty or training duty with or without pay, and to be found physically qualified to perform active duty appropriate to his grade and class. Upon completion of active duty or training duty he shall be given such physical examination as necessary to determine whether or not his health has been adversely affected by such active duty or training duty, and appropriate entries shall be made in his health record. The physical examination prior to reporting for active duty or training duty shall be reported on Bureau of Medicine and Surgery Form Y in triplicate. The Form Y will be retained with the officer's health record and the result of the physical examination given upon completion of active duty or training duty entered by endorsement thereon.

(c) Quadrennially, as indicated in § 6.1602.

(d) For duty involving flying in actual control of aircraft. A candidate for appointment, promotion, active duty or training duty involving actual flying of aircraft, must be examined and found to be physically and psychologically qualified to serve as a pilot of naval aircraft.

(e) Special examinations as directed. Special examinations and examinations by boards of medical survey may be ordered as required or at the request of a Reserve officer, to determine his physical fitness for retention, retirement or discharge, or other disposition.

(3) Officers on active duty shall report for physical examination annually in accordance with requirements for officers of the Regular Navy.

§ 6.1602 *Quadrennial physical examinations of officers.* (1) All officers of the Naval Reserve shall be examined physically in the manner prescribed in § 6.1603 once every 4 years, or oftener, as may be deemed necessary, and if upon such examination they are found not physically qualified for active service, they shall be honorably discharged, or, within the discretion of the Secretary of the Navy, placed on the honorary retired list. In determining an officer's qualifications for active service, due consideration shall be given to the character of the duty to be assigned him in the event of war or national emergency.

(2) A physical examination for any purpose covered by § 6.1601 will be deemed sufficient to fulfill the requirements of this §, if properly reported on Bureau of Medicine and Surgery Form Y.

(3) Subject to the provisions of § 6.1607 (4), in case an officer is found

not physically qualified upon examination for any purpose by one medical officer, or if upon review of the physical examination by the Bureau of Medicine and Surgery he is found not physically qualified, the report of physical examination shall be referred to a special board of medical officers convened in the Bureau of Medicine and Surgery for consideration and recommendation as to retention in the class of the Naval Reserve to which assigned.

(4) Physical defects considered not to be sufficiently serious to disqualify an officer from the performance of the duties of his rank, corps, and classification, may be waived by the Bureau of Navigation. For 4 years thereafter, additional waivers for the same disability will not be required for the performance of active or training duty or release therefrom, provided the degree thereof has not materially increased.

(5) Commandants shall notify all officers of the Naval Reserve in their districts at least 60 days in advance of the dates on which they are due for physical examination. If after being so notified an officer has not appeared for examination, or submitted a satisfactory excuse to do so within 30 days after the date on which he became due for examination, the Commandant shall submit a report to the Bureau of Navigation in order that the officer concerned may be discharged from the Naval Reserve.

§ 6.1603 *Physical examination of officers—by whom conducted.* (1) Physical examinations of Naval Reserve officers for promotion and physical examinations of candidates for appointment as Naval Reserve officers shall, if practicable, be conducted by statutory boards of medical officers composed of medical officers of the Regular Navy or Naval Reserve or of both. If impractical to assemble a statutory medical board without incurring mileage or other expense, the physical examination may be conducted by one medical officer of the Regular Navy or of the Naval Reserve. Reports of such examination shall be reviewed by a statutory board of medical officers convened in the Bureau of Medicine and Surgery, together with the medical history of the candidate on file in the Department.

(2) Physical examinations of officers for active duty or training duty and release therefrom and quadrennial physical examinations shall be conducted by a medical officer of the Regular Navy or Naval Reserve, if available. If a medical officer of the Regular Navy or Naval Reserve is not available without incurring mileage or other expense, quadrennial physical examinations may be conducted by Army or Army Reserve medical officers, medical officers of the Public Health Service or of the Veterans' Administration or, in special cases, by a reputable physician. Reports of such examination shall be reviewed by the Bureau of Medicine and Surgery together

with the medical history of the officer on file in the Department.

(3) Those medical officers of the Navy, Naval Reserve, Army, and Army Reserve who are qualified to conduct physical examinations for flying are hereby designated as the agencies to conduct these examinations in accordance with the existing instruction of the Bureau of Medicine and Surgery. Reports of such examinations shall be accepted for appointments and promotions without an additional report on Bureau of Medicine and Surgery Form Y.

§ 6.1604 *Physical examinations — enlisted men.* (1) Candidates for enlistment or reenlistment in the Naval Reserve shall be examined physically by a medical officer of the Navy or Naval Reserve.

(2) Except as provided for repeated periods of training or other duty and short periods of group training, an enlisted man is required to be examined physically by a medical officer of the Navy or Naval Reserve prior to reporting for active duty or training duty, with or without pay, and to be found physically qualified to perform active duty. Upon completion of active duty or training duty he shall be given such physical examination as may be necessary to determine whether or not his health has been adversely affected by such active duty or training duty. Appropriate entries of such examinations shall be made in his health record.

§ 6.1605 *Physical examination for repeated periods of training and group training.* (1) Members of the Naval Reserve ordered or authorized to perform repeated periods of training duty or other duty, or periods of group training will not be required to take a physical examination prior to each period of duty, nor upon completion thereof, except in case of injury, sickness or disease, provided that officers authorized to perform duty involving actual control of aircraft shall have passed a satisfactory flight physical examination within 6 months immediately preceding any period of duty.

(2) In case of injury, sickness, or disease incurred by any member of the Naval Reserve performing such duty, appropriate entries shall be made in his health record, and on his orders and required reports submitted.

§ 6.1606 *Physical standards.* The physical standards prescribed for the Naval Reserve are the same as those prescribed for the Regular Navy, with due consideration, however, for age in grade and the character of duty to be assigned in the event of war or a national emergency.

§ 6.1607 *Reports and records of physical examinations.* (1) The result of every physical examination shall be entered in the Reservist's health record and will become a part of his medical history.

(2) The results of all physical examinations of officers, other than those for duty involving flying in actual control of

aircraft, shall be reported on Bureau of Medicine and Surgery Form Y, sufficient copies being prepared for district records, the original and one copy being forwarded to the Bureau of Medicine and Surgery.

(3) The results of examinations for appointments or duty involving flying in actual control of aircraft shall be reported on Bureau of Medicine and Surgery Form N. M. S. Aviation 1, sufficient copies being prepared for district records, the original and one copy being forwarded to the Bureau of Medicine and Surgery.

(4) Except as provided in paragraph (7) hereof, reports of physical examinations for promotion of officers of the Organized Reserve and Volunteer Reserve (General Service) conducted by statutory medical examining boards shall be forwarded direct to the Judge Advocate General.

When such examinations for promotion are conducted by one medical officer, the report shall be forwarded to the Bureau of Medicine and Surgery, via the Commandant.

(5) Reports of all physical examinations for appointment to all classes, and for promotion in the Volunteer Reserve (Special Service), and Merchant Marine Reserve, shall accompany the candidate's application.

(6) The reports of Statutory Medical examining boards shall be made on Bureau of Medicine and Surgery Form Y or N. M. S. Aviation 1, as the case may be. No other papers will be required. The Form Y or N. M. S. Aviation 1 should clearly indicate the purposes of the examination at the top of the form, and a notation should appear under the signatures of the medical officers, indicating that they are members of a statutory board.

(7) If an officer is found not physically qualified, the report of the Board of Medical officers shall be forwarded to the Bureau of Medicine and Surgery via the Commandant of his naval district, who shall make appropriate recommendation as to retention, waiver, discharge, or transfer to the honorary retired list or to another class.

Orders to Active and Training Duty

§ 6.1701 *Individual orders to officers for training duty.* (1) Where no flight duty is involved, orders to officers for training duty with pay and allowances including mileage may be issued by the Commandants of the naval districts within the training quotas prescribed by the Bureau of Navigation. Orders to training duty involving flying with pay will be issued by the Bureau of Navigation. In submitting requests to the Bureau of Navigation for training duty, the Commandant shall furnish file number of each officer, his rank, class, home address, and statement as to whether mileage is required and estimate of mileage involved. In the absence of information as to mileage, the orders issued by the

Bureau of Navigation will be authorization not involving expense to the Government for travel.

(2) Orders to perform training duty without pay or allowances, including duty involving flying for officers holding designations as naval aviators or letters of authority to solo Naval aircraft may be issued by Commandants of naval districts, or under their direction by the commanding officer of the vessel or aviation base at which the duty is to be performed or by the senior officer present of any Naval Force.

(3) Orders to perform repeated periods of training duty between specified dates without pay or allowances including duty involving flying for officers holding designations as naval aviators or letters of authority to solo naval aircraft may be issued by Commandants of naval districts. Such orders should require that the dates of reporting for and detachment from each period of training duty be indicated by an endorsement.

(4) Upon completion of the period or periods of training duty as covered in the orders, a copy of such orders with all endorsements shall be forwarded to the Bureau of Navigation. Upon completion of training duty with pay, in the cases of officers entitled to remuneration for drills, equivalent instruction or duty, appropriate duties, or compensation for command, a copy of the orders with all endorsements shall be forwarded to the Bureau of Supplies and Accounts (Retainer Pay Section).

§ 6.1702 *Individual orders to enlisted men for training duty.* (1) Orders to enlisted men for training duty with pay and allowances including transportation to and from such duty, may be issued by the Commandants of naval districts within the training quotas prescribed by the Bureau of Navigation. Flight orders and revocations thereof, however, will be issued by the commanding officer under whom serving and a copy forwarded to the Bureau of Navigation.

(2) Orders to perform training duty without pay or allowances may be issued by Commandants of naval districts or under their direction, by the commanding officer of the vessel or aviation base at which the duty is to be performed, or by the senior officer present of any Naval Force.

(3) Orders to perform repeated periods of training duty between specified dates without pay or allowances may be issued by the Commandants of naval districts. Such orders should require that the dates of reporting for and detachment from each period of training duty be indicated by endorsement.

(4) Upon completion of the period or periods of training duty as covered in the orders, a copy of such orders with all endorsements shall be forwarded to the Bureau of Navigation. Upon completion of training duty with pay, in the cases of men entitled to remuneration for drills, equivalent instruction or duty, or appropriate duties, a copy of the or-

ders with all endorsements shall be forwarded to the Bureau of Supplies and Accounts (Retainer Pay Section).

§ 6.1703 Group orders for officers and men for short periods of training duty.

(1) Short periods of training duty without pay of less than 4 days' duration may be ordered to be performed by organizations or groups of Naval Reservists in vessels or at Naval Reserve aviation bases. They must be ordered in advance for the vessel or base and for each individual participating. Such orders may be issued by the District Commandant or under his direction by the commanding officer of the vessel or base at which performed. The orders to the various individuals to perform such duty may be covered in a single set of orders, each individual ordered to perform the duty being named therein, his grade, rank or rating, the class of the Naval Reserve to which he belongs, and the organization, if any, to which he is assigned being shown.

(2) Reservists will be considered as in the status of performing training duty without pay from the time of reporting on board or at the aviation base under the orders issued in accordance with paragraph (1) hereof, until their debarkation or release from duty status at the end of the cruise or until such earlier time as they may have been released from such duty status; except that where the flying of aircraft extends beyond the duty period for the group, those actually engaged in a flight will be considered as in a duty status until completion or return to their station.

(3) Copies of orders for the performance of duty of this character or other reports (other than entries in service records and fitness reports) will not be required by the Bureau of Navigation; but complete records thereof should be maintained by the vessel or aviation base at which performed or by the organization by which performed, or at district headquarters.

§ 6.1704 Release of officers and men from active or training duty in time of peace. (1) Except in the cases of Aviation Cadets, and officers of class A-V (N), as provided for in §§ 6.10401 and 10402, in time of peace no officer or man shall be ordered to or continued on active or training duty without his own consent. Except as provided for in § 6.6103, they shall be released therefrom on the dates stated in their orders or at such time prior thereto as they may request. Their release from such duty shall be accomplished by the agency issuing the orders thereto.

(2) The Secretary of the Navy may release any member of the Naval Reserve from active or training duty at any time.

§ 6.1705 Orders to officers and men to active duty in time of peace. (1) Orders to Naval Reserve officers who are to be placed on active duty other than training duty during time of peace will be issued by the Bureau of Navigation.

(2) Orders to enlisted men who are to be placed on active duty, other than training duty, during time of peace, will be issued by the Commandant of the naval district to which attached in accordance with quotas for such duty authorized by the Bureau of Navigation. Flight orders and revocations thereof, however, will be issued by the commanding officer under whom serving and a copy forwarded to the Bureau of Navigation.

(3) When so ordered to active duty, officers and men will devote their whole time to the duty to which ordered.

§ 6.1706 Orders to officers to duty as technicians and scientists. (1) Appropriations made to the various bureaus and offices of the Navy Department for part time or intermittent employment of scientists, technicians, and other personnel in connection with the work of such bureaus and offices shall be available for the active duty pay and allowances of such members of the Naval Reserve as in the discretion of the Secretary of the Navy may be placed on temporary active duty for the purpose of prosecuting such work.

(2) Orders to officers for the performance of the above duty will be issued by the Bureau of Navigation upon the request of the Bureau concerned. Such orders will be issued subject to consent of the Reserve officer to whom issued and will indicate the place at which the duty is to be performed, the dates between which to be performed, the appropriation to be charged, the rate of pay involved and mileage if any allowed.

§ 6.1707 Orders to officers and men to active duty in time of war. (1) Any member of the Naval Reserve, including those on the honorary retired list or who may have retired, may be ordered to active duty by the Secretary of the Navy in time of war, or when, in the opinion of the President, a national emergency exists and may be required to perform active duty throughout the war or until the national emergency ceases to exist.

(2) Orders to officers and men for the performance of the above duty will be issued by the Bureau of Navigation or under the Bureau's instructions by the Commandants of naval districts having cognizance or by other designated officers acting under the Bureau's instructions.

§ 6.1708 Release of officers and men from active duty in time of war. In accordance with the provisions of § 6.1707 (1) officers and men of the Naval Reserve performing active duty in time of war shall be released therefrom only in accordance with the instructions of the Bureau of Navigation.

§ 6.1709 Mobilization. The mobilization of the Naval Reserve, when ordered, will be accomplished in accordance with the instruction contained in other Bureau publications.

§ 6.1710 Endorsements on orders for active or training duty. Orders to active or training duty issued in accordance

with §§ 6.1701 (1) and (2), 6.1702 (1) and (2), 6.1705, 6.1706, and 6.1707, shall be endorsed as follows:

(a) Date and hour of receipt of orders, signed by recipient thereof.

(b) Date and hour of departure from address indicated in the orders, in the execution thereof, signed by the recipient of the orders.

(c) Date and findings as result of physical examination, signed by the medical officer conducting the physical examination.

(d) Place, date, and hour of reporting for duty, signed by the commanding officer of the naval activity to whom the orders require recipient to report, or by his direction.

(e) Date and findings as result of physical examination prior to release from duty, signed by the medical officer conducting the physical examination.

(f) Place, date, and hour of detachment from duty, signed by the commanding officer of the naval activity under whom the duty at time of detachment was being performed, or by his direction.

(g) Date and hour of return to address indicated in the orders, signed by recipient thereof.

§ 6.1711 Procedure when found physically disqualified for active or training duty. (1) Except as indicated in paragraph (2) hereof, the orders to active or training duty will be considered as revoked in the event the recipient thereof should be found physically disqualified for the duty indicated therein, unless a waiver of such disabilities should be secured from the Navy Department.

(2) In the event the recipient of the orders has been extended a prior waiver of physical defects, in accordance with § 6.1602 (4), the orders to active or training duty shall so state and shall indicate the disabilities for which the waiver was granted. If the disabilities at time of reporting for duty are essentially the same as to character and degree, the prior waiver will continue to be effective, insofar as the execution of the orders is concerned. If the disabilities at time of reporting for duty have increased as to character or degree, the uncompleted portion of the orders to active or training duty will be considered as revoked, unless a further waiver should be secured from the Navy Department.

Addressees, Official Residence, Records, Correspondence, and Reports

§ 6.1801 Official designation of officers and men. (1) In official correspondence, orders, etc., where it is important that the class to which they belong, be shown, officers and men shall be designated in the manner indicated in the following examples:

(a) A lieutenant (junior grade) of class A-O (aviation flight officer of Organized Reserve): Lt. (jg) Paul R. Smith, A-O, U. S. N. R.

(b) A lieutenant of class E-M (engineer officer of Merchant Marine Reserve): Lt. Robert A. Brown, E-M, U.S.N.R.

(c) A lieutenant commander of class MC-V(S) (medical officer of Volunteer Reserve, special service): Lt. Comdr. William H. Johnson, MC-V (S), U.S.N.R.

(d) A chief boatswain of class O (chief warrant officer of Organized Reserve): Chief Boatswain Thomas D. Smith, D-O, U.S.N.R.

(e) A machinist of class V-G (warrant officer of Volunteer Reserve, general service): Machinist George L. White, E-Y (G), U.S.N.R.

(f) A nurse of Volunteer Reserve, general service: Nurse Mary E. Peters, U.S.N.R.

(g) An enlisted man of class O-1 (a man enlisted in the Organized Reserve (Surface branch) for 4-year period or with extended enlistment): John Henry Jones, 130-50-72, C.B.M., O-1, U.S.N.R.

(2) When it is unimportant that the class to which they belong, be shown, officers and men may be designated merely as members of the Naval Reserve, of the line and staff, similarly as for the Regular Navy, in the manner indicated in the following examples:

(a) Lt. (jg) Paul R. Smith, U.S.N.R.

(b) Lt. Robert A. Brown, U.S.N.R.

(c) Lt. Comdr. W. H. Johnson (M.C.), U.S.N.R.

(d) Machinist George L. White, U.S.N.R.

(e) Nurse Mary E. Peters, U.S.N.R.

(f) John Henry Jones, C.B.M., U.S.N.R.

(3) The use of titles for commercial purposes is prohibited.

§ 6.1802 *Official residence.* (1) Official residence is defined as the place where the Bureau of Navigation may at any time send a letter or telegram and expect prompt delivery to the addressee.

(2) When first appointed or enlisted, officers, cadets, and midshipmen of the Naval Reserve shall inform the Bureau of Navigation via the Commandants of their naval districts, and enlisted men shall inform the Commandants, of the names and official residences of their next of kin. They shall also report in a similar manner any changes in name or residence of next of kin.

(3) In time of peace members of the Naval Reserve not on active duty, may change their official residences at will. Changes of official residence when on active duty, must be approved in the case of officers, by the Bureau of Navigation, and in the cases of enlisted men, by the commanding officer. In no case shall change of official residence of a Reservist on active duty, to a place outside the territorial limits of the United States, be made without prior authority from the Bureau of Navigation.

(4) An officer of the Naval Reserve shall report any change of official residence to the Bureau of Navigation via the commanding officer of his organiza-

tion and the Commandant of the naval district in which his records are carried.

(5) An enlisted man of the Naval Reserve shall report any change of official residence to the Commandant of his district via the commanding officer of his organization.

(6) Officers of the Supply Corps shall advise the Judge Advocate General of changes of official residence.

(7) The form shown below should be followed:

12536.

JULY 1, 1938.

From: Lieutenant John H. Jones, D-O, U. S. N. R.
501 West 113th St.,
New York, N. Y.

To: The Chief of the Bureau of Navigation.
Via: The Commandant of the Third Naval District.

Subject: Change of official residence.

Reference: (a) Bureau of Navigation Manual, Art. H-1802.

1. In compliance with reference (a), I request that my address be changed—

From: 501 West 113th St., New York City.
To: The Westminister, 17th and Que Sts.
NW., Washington, D. C.

(S.) J. H. JONES.

Distribution:

Original: BuNav.

Copies: Comdt. N. D. (1st to Comdt. of Naval District from which moving, 2nd to Comdt. of Naval District to which moving.)

*Bureau concerned.

My file.

(8) A copy of change of address shall be forwarded to the Bureau or Office having cognizance of the corps or class, i. e., A-O, A-V (G), A-V (S), A-V (T), A-V (K), copy to BuAero: E-V (G), E-V (P), and E-V (S), copy to BuEng: MC-O, MC-V (G), MC-V (S), DC-V (G), and DC-V (S), copy to Bu. M. & S.; SC-O, SC-V (G), SC-V (P), and SC-V (S), copy to Bu. S. & A. (and to the J. A. G.); CEC-V (S), copy to Bu. Y. & D.; CC-V (S), copy to Bu. C. & R.; O-V (S), copy to BuOrd; C-V (G), C-V (S), and I-V (S), copy to Chief of Naval Operations; L-V (S), copy to J. A. G. No extra copies are required to be forwarded to any other Bureau in the cases of officers of classes D-O, E-O, DE-O, D-V (G), D-V (P), DE-V (G), DE-V (S), D-V (S), ChC-V (G), or ChC-V (S).

(9) When the change of official residence reaches the Commandant's office, the district records shall be corrected and any transfer of records necessitated thereby effected. The letter transmitting the records should state the new address of the Reserve officer.

(10) When change of official residence is received in the Bureau, the records of the Bureau will be corrected accordingly.

(11) A card index of officers' official residence is maintained in the Bureau of Navigation. The accuracy of this list is considered to be of the greatest importance. In the event of war the Bureau should be able to mobilize every Reservist immediately. Cooperation of everyone in conserving labor and keeping this list corrected is confidently expected.

§ 6.1803 *Members of Fleet Reserve and retired enlisted men to report changes of official residence to the Bureau of Supplies and Accounts and commandant of district.*

(1) All members of the Fleet Reserve and Retired Enlisted Men shall notify the Bureau of Supplies and Accounts (Retainer Pay Section), via the Commandant of the naval district where their records are kept, of changes of official residence to which checks are to be mailed.

(2) Bureau of S. & A. Form 444d will be used for this notice and must be submitted in duplicate signed with the full name of the man, whenever his new address remains in the same naval district, and in triplicate whenever his address is changed to another naval district.

(3) When submitted in duplicate, the original will be forwarded to the Bureau of Supplies and Accounts and the copy retained for the files of the district.

(4) When submitted in triplicate, the original will be forwarded to the Bureau of Supplies and Accounts, one copy furnished the Commandant of the district in which the new address is located and the remaining copy retained in the district of the original residence as a basis for transferring records and for future reference.

(5) Notices given in any other manner will operate to delay the checks until a notice is received in the form and manner herein prescribed.

§ 6.1804 *Permission to leave the United States.* (1) Except as herein provided, members of the Naval Reserve are required to obtain permission to leave the United States or its possessions.

(2) Commandants of naval districts are authorized to approve requests from officers and enlisted men of the Naval Reserve for permission to leave the United States or its possessions.

(3) Members of the Naval Reserve employed in the Merchant Marine or Commercial Air Lines of the United States, will not be required to obtain permission on each trip, while following their profession in the Merchant Marine or Commercial Air Service, but shall keep the Commandants advised of their occupation and official residence.

(4) Members of the Naval Reserve on authorized leave of absence from their command and while in civilian clothes are authorized to visit Canada or Mexico without obtaining specific permission for such visit.

§ 6.1805 *Merchant Marine Reserve—Changes of employment.* Officers and cadets of the Merchant Marine Reserve shall report changes of employment in their annual fitness reports, N. Nav. 476.

§ 6.1806 *Passports.* Members of the Naval Reserve who leave the United States to visit foreign countries where it is necessary to have passports should forward a copy of their authority to leave the United States to the State De-

partment with their applications for passports.

§ 6.1807 *Service records—Preparation of, entries in, and disposition of.* (1) The entries indicated in this article shall be made in the service record, N. Nav. 352. It is important that the detailed instructions given below be carefully studied and complied with and that all information entered be complete and accurate.

(2) The service record shall give the full name, including all christian names of the man. The service number assigned shall be entered on the top of the cover of the service record. The record must be signed in ink by the commanding officer quarterly, and upon transfer, discharge, desertion, or death.

(3) Service records shall be stamped on the back cover with the following words: "In case of death, discharge, desertion, or release from active service, this record shall be returned at once to the Commandant, _____ Naval District _____ (give address)." Except as provided for in § 6.1809, the Reserve service record will be retained in the files of the district until man's discharge or death, at which time it will be closed out and forwarded to the Bureau of Navigation.

(4) There shall be entered on the appropriate pages of the service record all periods of active duty, training duty (with or without pay), short volunteer cruises, changes in rank, rate, address or class, transfers between ships or stations, transfers from one district or organization to another, discharges, deaths, desertions, surrenders and deliveries, appointments to commissioned or warrant rank or grade, or other changes in a man's status.

(5) All entries shall preferably be typed. Routine entries may be made by rubber stamp, the division commander procuring the required stamps suitable for his division.

(6) *Detailed instructions for Reserve Service Records, N. Nav. 352.*

A

Absence from duty. Enter on page 6 dates of absence from duty on account of sickness or injury, result of own misconduct, AOL, AWOL, desertion, and nonperformance of duty because imprisoned, both while in arrest resulting in court-martial sentence and while serving sentence. These entries will only be made when man is absent while serving on active duty or training duty.

Active duty and training duty. See "duty."

Address. Enter on page 9 any change in man's address.

Appointments to commissioned or warrant rank or grade. Enter on page 9 date of appointment, rate held at date of appointment, rank or grade to which appointed, and date of acceptance of commission or warrant. Enter final marks on page 10, close out record as of date preceding acceptance of commission

or warrant and forward to the Bureau of Navigation.

Appropriate duties. Make entry on page 9 at end of quarter and upon transfer from one district to another, death, discharge, or transfer to another class of the Naval Reserve, of the total number of periods of appropriate duty performed.

Aviation and balloon pilot. Enter on page 9 date qualified and designated as naval aviation or balloon pilot.

B

Birth. Enter date and place of birth on page 2. Make any correction in date or place of birth on page 2 and file copy of birth certificate or letters of authorization in pocket of service record.

C

Change in name, address, next of kin, etc. Make correction where necessary. Enter on page 9 change, date, and authority. File letters of authority in pocket of service record.

Change in rating. Enter on page 9 date of change (old rate or new rate) and reason or authority for rating or disrating.

Checkage. Enter on page 9 reason for checkage, date, and amount checked while on active or training duty.

Citizenship. Make entry on page 2 showing citizenship to be "U. S.," "N. U. S.," "C. I. P." If naturalized while in the service, enter on page 9 date of naturalization, name, and location of court which granted certificate of naturalization.

Clothing destroyed to prevent spread of disease. Enter on page 9 notation of circumstances and estimated value of articles destroyed while on active or training duty.

Clothing lost or destroyed in a marine or aeroplane disaster. Enter on page 9 estimated value of articles lost and, if reimbursed in cash, amount of reimbursement. If issued clothing in kind, the value of issue, if on active duty or training duty.

Clothing issued. See Uniform.

Coast Guard Service. Enter on page 1 the amount of Coast Guard Service.

Commended for distinguished or meritorious service. Enter on page 9 a brief statement of commended act or duty, date, and by whom commended.

Commuted rations. Enter on page 9 date of receipt of commuted rations and date of discontinuance.

Conduct. Enter on page 9 a brief statement of all special and meritorious conduct worthy of mention. Enter on page 10 marks in conduct, quarterly, while on active duty and upon release from active duty. The whole page may be used to record the marks and special qualifications and details, disregarding the other headings.

Courts martial. Enter on page 9 date, nature of offense committed, date of trial, sentence and action of the convening authority on deck courts and general courts martial and of convening author-

ity and the immediate superior in command on summary courts martial with the date of such action.

D

Death. Make appropriate entries of death on front cover and page 11. Enter on page 12 a summary of all ships or stations to which deceased had been attached and final average in all marks. Enter on page 9 date, place, and cause of death if known, and whether death was caused by the intemperate use of drugs or alcoholic liquors or other misconduct. If death occurs while on active duty, character of discharge that would have been awarded had service been terminated by discharge, disposition of remains and effects, place of burial if known, state of accounts, amount of insurance, and date of last checkage. Forward the service record to the Bureau of Navigation.

Report in accordance with § 6.7301 should be submitted to the Employees' Compensation Commission in case of death resulting from physical injuries.

Delivery. If on active duty or training duty, enter on page 9 date and place of delivery and by whom delivered. Forward copy of N. Nav. 66 to the Bureau of Navigation.

Descriptive list. Enter required information on page 4, signed by medical officer and the recruit.

Desertion. Enter on page 9 date declared a deserter, date and hour unauthorized absence commenced, and any facts in connection with the unauthorized absence which might show whether the intention was to desert or return, and, if on active duty, state of accounts. Make appropriate entries of desertion on page 11 and forward the service record to the Bureau of Navigation. (No entry regarding desertion made on front cover.)

Disability. Enter on page 9 record of any disability incurred while serving in the Naval Reserve, on active duty or training duty or while attending drills; nature and whether incurred in the line of duty or the result of own misconduct.

Discharges. Make appropriate entries on front cover and page 11. Enter on page 12 a summary of all ships or stations to which man has been attached and final average in all marks. Enter on page 9 date, place, cause, authority, character, whether or not recommended for reenlistment, if on active duty rate of pay and statement of account. Close out service record and forward to the Bureau of Navigation.

Drills. Enter on page 7A at the end of quarter or upon transfer from one district to another, death, discharge, or transfer to another class and total number of drills performed.

Duty—Active, training, shipkeeper. Enter on page 9 recall to active, training or shipkeeper duty, giving date and place of recall, and if training duty whether with or without pay; date and place of report, and ship or station where duty is performed. Enter chronologically any

change in status while on active duty. Enter on page 10 quarterly marks and any special qualifications or details. When released from duty enter date, and reporting to permanent ship or station forward copy of page 9 to the Bureau of Navigation.

E

Education. Enter on page 2, upon enlistment, a brief statement of educational advantages.

Effects of deceased persons and deserters. Enter on page 9 disposition made of effects of deceased persons and deserters and whether on active duty or training duty.

Enlistments, assignments to class F-2, and transfers to classes F-4 and F-5 Fleet Reserve. Enter by typewriter on front cover full name, service number, citizenship, rate, date, class, place of enlistment, assignment, or transfer. Complete headings on pages 1 and 2, with signatures of recruiting officer and disbursing officer entered over their typewritten name in space provided. Page 4 completed under the supervision of the medical officer and signed by the officer and the recruit. On page 9 enter name in full, service number, class, rate, and date of enlistment, assignment, or transfer.

Equivalent instruction or duty. Enter on page 7A, together with the number of drills performed (see Drills), the number of periods of equivalent instruction or duty performed. Enter quarterly, or upon transfer from one district to another, death, discharge, or transfer to another class, total number of drills and periods of equivalent instruction or duty performed since last report.

Examinations. Forward original report of examination to the Bureau of Navigation as required by current instructions and file copy in pocket of service record.

Extensions. Make agreement to extend enlistment (N. Nav. 323) in duplicate. Forward original to the Bureau of Navigation on effective date of extension and file duplicate in service record. Make notation on page 9 showing date made, effective date, date of expiration, and number of years for which extension is made.

F

Fingerprints. Make fingerprints of each finger upon enlistment, on page 3. Forward identification record to the Bureau of Navigation.

Flight orders. Enter on page 9 the date detailed to duty involving flying and date and cause of revocation if revoked before termination of duty. If on active duty, enter on page 9 at the end of each month and on date of revocation of flight orders total time in air and total number of flights since last entry.

I

Identification. See Fingerprints.

Injury. Enter on page 9 report of all injuries sustained by men while serving

on active duty or traveling under competent orders or in the performance of drills giving cause, date, nature, and whether or not incurred in the line of duty. Make report required by § 6.7301.

Interpreter. Enter on page 2, name of foreign language or languages for which qualified to act as interpreter.

L

Letters of commendation. Enter on page 9 a brief digest of all letters of commendation, by whom commended, act or duty for which letter is given, date of act, and date of letter. File copy of letter in pocket of record.

M

Marks. Enter on page 10 marks quarterly while on active duty and upon release from active or training duty. Enter final average of all marks on page 10 upon death, discharge, appointment to commissioned or warrant rank and retirement, as set forth in part D, chapter 4, Bureau of Navigation Manual.

Medals. Enter on page 9, when the man is awarded any of the decorations, medals or badges listed in part A of the Bureau of Navigation Manual (available in the Bureau of Navigation, Navy Department).

Misconduct. Enter on page 6, if on active duty, all absence from duty on account of sickness, disease, or injury due to intemperate use of drugs, alcoholic liquors, or other misconduct, date admitted to sick list, number of days absent from duty, nature of disease or injury, and date of initial appearance of sickness or disease.

N

Name. Type name in full, surname first, followed by Christian name and middle names, if any. Have signatures entered with Christian name to the left, middle names, if any, and surname to the right.

Nonperformance of duty. Enter on page 6 dates of all absences from or nonperformance of duty on account of sickness, disease, or injury resulting from intemperate use of drugs, alcoholic liquors, or other misconduct, AWOL, AOL, time under arrest awaiting trial which results in conviction and sentence to a naval prison or at a receiving ship or station designated as a naval prison, and time under court-martial sentence, in a naval prison or at a receiving ship or station designated as a naval prison.

Enter number of days absent, number of days under arrest awaiting trial, number of days under court-martial sentence, date restored to duty and number of days lost because of nonperformance of duty.

Date absence began is considered a day of absence, date of return is considered a day of duty.

O

Offenses. Enter on page 9 nature of offense and punishment adjudged.

P

Pay. When ordered to active duty or training duty with pay the supply officer taking up his accounts will enter on page 2 rate of pay upon enlistment; also enter information required by headings on page 11 upon discharge, desertion, death, and retirement.

Pilots. See Aviation and balloon pilots.

Pocket. File all copies of reports of examination, agreements to extend enlistments, proceedings of all courts martial, vouchers, and correspondence relating to the man in pocket attached to the service record.

Prior service. Enter on page 1 all prior service in the Army, Navy, Naval Reserve Force, Naval Reserve, National Naval Volunteers, Marine Corps, Marine Corps Reserve Force, Marine Corps Reserve, Coast Guard, Naval Militia, National Guard and Naval Auxiliary Service.

Punishments. Enter on page 9 reports of all punishments adjudged.

Physical examination. Enter result of all physical examinations of transferred 16- and 20-year men on page 9.

Q

Qualifications. Enter on page 2 any special qualifications man may have, upon enlistment, assignment or transfer to the Reserve from regular Navy.

R

Ratings. See Change in rating.

Recall. See Active duty.

Reduction of rating. Enter on page 9 old rating, rating to which reduced, date, reason, and authority.

Reenlistments. Same as Enlistment.

Reports. The only reports required by the Bureau of Navigation, of entries in the enlistment record, or of changes in the status of enlisted Reservists, are the following:

1. **Enlistment.** Upon enlistment, complete N. Nav. 351 (shipping article) and N. Nav. 2 (fingerprint record) and forward to the Bureau of Navigation, also when applicable, NRB Form 24 (application for enlistment) and N. Nav. 400 (consent of parent or guardian).

2. **Active duty and training duty.** At date of release forward copy of "orders to report to active duty" to the Bureau of Navigation, complete with all endorsements.

3. **Transfer between classes (enlisted men).**

4. **Notice of rating or disrating (enlisted men).**

5. **Change of address.**

6. **Active duty as shipkeeper, training duty over two weeks, and other protracted periods of active duty.** On date of report for duty make entry in sheet 9 and forward copy to Bureau of Navigation. On date of release do same.

7. **Examinations.** Forward original report of examination N. Nav. 471 to the Bureau of Navigation as required by

current instructions, file copy in pocket of record.

8. *Desertion.* Make required entries in service record, Form N. Nav. 352, and forward to the Bureau of Navigation.

9. *Surrender or delivery.* Fill out N. Nav. 66 and forward to the Bureau of Navigation.

10. *Extension of enlistment.* Fill out Form N. Nav. 323 in duplicate, forward original to the Bureau of Navigation on effective date of extension and file copy in service record.

11. *Discharge, death, advancement to commissioned or warrant rank or grade and retirement.* Close out N. Nav. 352 and forward to the Bureau of Navigation.

Retirements. When transferred members of the Fleet Reserve have been placed on the retired list, or other members of the Naval Reserve have been placed on the honorary retired list, enter on page 9 the date of retirement, reason for retirement, whether for physical disability or the completion of 30 years' service, and the latest address. Enter final average of all marks on page 10 and forward copy to the Bureau of Navigation.

S

Service number. Enter service number in places designated.

Service records. See subparagraphs 1 to 5 at beginning of this article.

Shipkeeper. Enter on page 9 upon recall to active duty as shipkeeper, date of recall, date and place of report, and record of service while assigned as shipkeeper. Enter marks on page 10. Make an extra copy of the orders to report for active duty and forward to the Bureau of Navigation on date of report. Forward a second copy on date of release from active duty.

Signature of Reservist. Have signatures entered with christian name to the left, middle names, if any, and surname to the right.

Signature required in service record. The signature of recruiting officer is required on page 2 at date of enlistment.

Signature of commanding officer is required on page 9 quarterly, and for each entry regarding change of rating, courts martial, commendatory action, offenses committed, and punishments awarded, when record is transferred to another district.

Signature of commanding officer is required on pages 11-12 when record is closed out on account of cancellation, discharge, desertion, death, appointment to commissioned or warrant rank or grade or retirement.

Signature of the commanding officer is required on page 6 for entries regarding absence from duty.

Signature or initials of commanding officer are required on page 10 for entries regarding marks, special qualifications, or detail.

Signature of executive officer is required on page 5 for entries regarding authorized leave.

Signature of medical officer is required on page 4 at time of enlistment.

Signature of disbursing officer is required on page 2 when Reservist first reports for active duty.

Signature of Reservist is required on page 4 at date of enlistment.

Subsistence allowance. Enter on page 9 date subsistence allowance began, authority, amount, date discontinued, and reason.

Surrender. Enter on page 9 date and place of surrender and number of days absent. Forward copy of N. Nav. 66 to the Bureau of Navigation.

T

Training duty. See "Duty."

Transfers. Enter on page 9 record of all transfers between vessels or stations and from one district to another; also record of transfer between classes of the Naval Reserve. (See par. 6 under Reports)

Transportation or travel allowance. Enter on page 9 a record of all transportation or travel allowance furnished. Enter on page 11 record of transportation or travel allowance furnished on discharge if discharged while on active duty.

U

Undesirable discharge. In addition to all information specified under "discharge" in these instructions, state the nature of the undesirability or unfitness on page 9 and file copy of the statement of the man in pocket of service record.

Uniform, bedding, and equipment. Enter value of issue (except when paid for in cash) on page 9. (Temporary issue of bedding and equipment need not be entered.) File copy of requisition showing issue in detail in pocket of service record. Upon discharge or transfer to class V-6, enter on page 9 condition and disposition of articles of uniform, bedding, and equipment returned.

Uniform allowance. The amount of uniform allowance credited upon reporting for active duty in time of war will be entered at bottom of page 2 by the disbursing officer over his signature.

W

Waiver. Enter full information on page 4, giving authority for, reason and nature of waiver upon enlistment. Enter waivers of transportation on page 9, giving reason, file signed agreement in pocket of service record.

§ 6.1808 *Marks for professional qualification.* Marks for professional qualifications shall include proficiency in rating and other qualifications for the various branches as specified in part D, Bureau of Navigation Manual (available in the Bureau of Navigation, Navy Department).

§ 6.1809 *Custody of records.* (1) Service and health records of men and health records of officers attached to or associated with organizations of the Organized Reserve and Naval Reserve aviation bases will be carried at the organiza-

tion headquarters; service and health records of other officers and men shall be carried by the Commandant.

(2) In case a Reservist changes his official residence from one district to another, his service and health records and all other papers shall be forwarded to the Commandant of the district to which he has transferred, together with a report of his address in that district.

(3) When a Reserve officer is granted permission to leave the United States or its possessions for an indefinite length of time, his records shall be forwarded to the Bureau of Navigation via the Office of the Chief of Naval Operations (Director of Naval Intelligence). The records of enlisted men of the Organized, Volunteer, and Merchant Marine Reserves, granted such permission shall be retained at the district headquarters until such time as the man's term of service expires and he is discharged. At that time his service and health records shall be closed out and forwarded to the Bureau of Navigation and Bureau of Medicine and Surgery, respectively.

(4) When an officer or man enters upon active duty or training duty, the records shall accompany him. When transferred, his records shall accompany him, and, upon release from active duty, they shall be returned to the commanding officer of the organization, or if not attached to an organization to the Commandant of the naval district in which he has his official residence. Upon discharge, desertion, or death, they shall be returned to the Commandant, who shall forward the service record to the Bureau of Navigation and the health record to the Bureau of Medicine and Surgery.

(5) The records of members of the Merchant Marine Reserve will be carried in the districts from whose ports the vessels on which they are employed usually operate. Generally, the home port as listed in the Department of Commerce publication, American Documented Sea-Going Vessels of 500 Gross Tons and Over, will determine the district in which the records will be carried. In cases where the vessels regularly operate from ports in two or more districts, the records shall be carried in that district in which is located the owner's or operator's main office. The records of members who have been unemployed on any vessel for a period of 6 months shall be forwarded to the district of official residence.

§ 6.1810 *Fitness reports of officers.*

(1) An officer's records are a vital part of his examination for promotion or transfer and the Naval Examining Board is within its legal rights in disqualifying an officer whose record is incomplete.

(2) Fitness reports, complete in all respects are required as follows:

(a) Officers on active duty, semiannually on March 31, and September 30; upon detachment; and upon change in reporting senior, on Bureau of Navigation Forms 443 or 443a, as prescribed for officers of the Regular Navy.

(b) Training duty, with or without pay, other than short periods of group training, on Bureau of Navigation Form N. Nav. 261 for Naval Reserve Aviators and N. Nav. 260 for all other officers, in accordance with §§ 6.5306 (10) and 5307 (5).

(c) All officers except those who have been performing active duty for the whole year, shall submit as of June 30, of each year, an annual fitness report; on Bureau of Navigation Form N. Nav. 137 for officers of the Organized Reserve and Volunteer Reserve, and on Bureau of Navigation Form N. Nav. 476 for Merchant Marine Reserve Officers and Cadets of the Merchant Marine Reserve (other than those undergoing training at State Nautical Schools). The reporting senior for officers of the Organized Reserve shall be the officer's immediate commanding officer or next senior in the chain of command; and for officers of the Volunteer Reserve who are associated with or attached to organizations of the Organized or Volunteer Reserve the commanding officer of such organization. The District Commandant shall be the reporting senior for all other officers of the Volunteer Reserve and for officers of the Merchant Marine Reserve and Cadets, Merchant Marine Reserve. Commandants may, however, designate senior officers on duty at district headquarters as the reporting officers for Reserve officers of appropriate classes and corps.

(d) All fitness reports shall be forwarded by the reporting officer direct to the Bureau of Navigation with distribution of copies as indicated on the form, except that the annual report Form N. Nav. 137 shall be forwarded via official channels. Forwarding officers shall comment as fully as practicable except the Commandants may use a stamped endorsement signed by direction in forwarding fitness reports whenever an officer of his staff is the reporting senior.

(3) When an officer who is attached to one district performs training duty in another district, the Commandant of the district in which the duty is performed shall forward a fitness report in duplicate to the Commandant of the district in which the Reserve officer's records are carried. If the officer is a naval aviator, the amount of syllabus flying carried out shall be reported to the Commandant of the district to which the Reserve officer is regularly attached.

(4) If any fitness report referred to in this article contains entries of an unsatisfactory or unfavorable nature, it shall be referred by the reporting senior to the officer reported on, for statement, before the report is forwarded for filing with his record. Such entries as marks below 2.5 or otherwise unsatisfactorily low, "prefer not to have him under my command," "not recommended for retention," or adverse comments, are considered as unfavorable. Failure to recom-

mend the officer for promotion is not of itself unfavorable. Reporting seniors are encouraged to refer reports to officers for their inspection even though not considered unsatisfactory or unfavorable, whenever knowledge of such remarks based on lack of experience, etc., would be helpful to the officer in improving his fitness.

(5) Recommendations as to any action desired, such as discharge, transfer, or retirement, will not be included in the forwarding endorsements on annual fitness report forms, N. Nav. 137 or N. Nav. 476, but shall be made the subject of separate correspondence.

§ 6.1811 *Official channels for correspondence.* (1) Whenever an officer or man of the Naval Reserve finds it necessary to write a letter on an official subject to one of the Bureaus of the Navy Department or to other authority higher than the commanding officer of the organization to which attached, the letter shall be routed via the organization commander through the usual channels for official correspondence. Such letters should be kept to the minimum. If the commanding officer, battalion or squadron commander, or District Commandant has the information upon which to base a reply, a reply should be made direct to the writer instead of the letter being forwarded to the addressee, however, if the originator of the letter is not satisfied with the reply received, upon resubmission, letter shall be forwarded to the addressee via official channels.

(2) In the event the correspondence contains matter of a secret, confidential or restricted nature, the provisions of article 75½, U. S. Navy Regulations, shall be followed.

(3) All officers are encouraged to report to the bureau or office having an interest therein, including the Office of Naval Intelligence, matters coming to their attention which would be of special value or interest to the bureau or office concerned. Officers performing work in this connection, upon the recommendation of the bureau or office concerned, will be issued letters of commendation which will form a part of their service records.

(4) Except where such bureau or office has no interest in the subject matter, Commandants of naval districts shall forward correspondence concerning Naval Reserve staff officers and Special Service officers via the bureau or office having cognizance of the corps or class concerned.

§ 6.1812 *File numbers of personnel.* (1) The file number on correspondence regarding a particular officer shall be the file number assigned him by the Bureau of Navigation. This file number should be shown in the upper left-hand corner of correspondence originated by a Naval Reserve officer about himself and shall be used by the Commandant and by organization commanders having occasion to write about any particular officer.

(2) The file number on correspondence regarding a particular enlisted man shall be his name, service number, rating, and class. Example: John Henry Jones, 130-50-72, CBM (AA), O-1, U. S. N. R.

§ 6.1813 *Correspondence to be dated.* All correspondence shall be dated in the upper right-hand corner, as shown in the following example:

JULY 2, 1938.

§ 6.1814 *Official residence to be shown.* The official residence shall be shown in the origin of correspondence as follows, for example:

From: Lt. (jg) John H. Jones, D-O,
U. S. N. R.
123 East 34th St.,
New York, N. Y.

§ 6.1815 *References to be quoted in correspondence.* When a letter is in reply to or refers to previous correspondence, quote under "References" the file number, every distinguishing mark, and the date of such correspondence. Where more than one reference is given, enumerate by small letter (a), (b), (c), etc. The following form should be used:

Reference: (a) BuNav letter Nav 165 Em
12356-37 of July 1, 1938.

§ 6.1816 *When endorsements shall not be used.* As a general rule a letter shall be answered by a separate letter and not by endorsement (Navy Regulations, 1920).

§ 6.1817 *Extra copies of correspondence not desired by Bureau of Navigation.* Extra copies of correspondence should not be forwarded to the Bureau of Navigation unless specially requested, but an additional copy should be appended for each intermediate office through which it is expected the correspondence will pass. The original is sufficient to meet the demands of the Bureau of Navigation.

§ 6.1818 *Naval aviator designations and folders.* Naval Reserve officers and aviation cadets who have satisfactorily completed the prescribed course of aviation training, are eligible for designation as naval aviators. Such designation must be approved by the Bureau of Navigation. Upon approval of such designation, the Bureau of Navigation will issue the aviation cadet or officer concerned a certificate of designation and folder.

§ 6.1819 *Letter of authority to solo naval aircraft.* (1) The Bureau of Navigation will consider requests for letters of authority to solo naval aircraft, from those officers of the Special Service classes of the Naval Reserve who are competent pilots holding effective pilot certificates under the Civil Aeronautics Authority, or who are designated and currently qualified as naval aviators. Requests from officers of other than class A-V(T) will be considered separately, and in general will be approved only when the applicants are associated with, and active in, an aviation activity of the naval service, and when it is clearly shown that the individuals will be employed in con-

nection with such phases of utility flying as are necessary to the training of Naval Reserve aviation squadrons, or are employed in connection with flights considered to be of definite value to the aeronautical organization of the Navy. Requests from officers of class A-V (T) will be approved only when § 6.2305 (6) hereof is complied with. All applicants must be physically and otherwise qualified to act as pilots of naval aircraft.

(2) Requests should be forwarded to the Bureau of Navigation via the following channels:

(a) Commanding officer of nearest Naval Reserve aviation base or naval air station.

(b) Commandant of the naval district concerned.

(c) The Bureau of Medicine and Surgery.

(d) The Bureau of Aeronautics.

(3) The forwarding endorsement of the commanding officer of the Naval Reserve aviation base or naval air station should include the following information:

(a) That the applicant possess an effective commercial pilot's certificate issued by the Civil Aeronautics Authority, or is designated and currently qualified as a naval aviator; in the case of the former, the license number and date of expiration should be included.

(b) Total certified pilot time, including pilot time in naval aircraft separately.

(c) Total certified pilot time for the last 12 months, indicating pilot time in naval aircraft separately.

(d) Result of a recent check flight in naval aircraft.

(e) In the case of officers of class A-V (T), a statement as to the applicant's special qualifications and current activities in the piloting of commercial or private aircraft.

(f) In the case of officers of other Special Service classes, a statement setting forth in detail the applicant's special qualifications, his activity and interest in the naval service, and the advantages that are expected to accrue to the Government if the request is approved.

(4) Requests will be accompanied by a report of aviation physical examination on Form N. M. S. Aviation No. 1.

(5) Such authorizations when issued will be effective only until the close of the fiscal year in which issued. Under them, flights will be restricted to local familiarization or utility flights, except in occasional cases wherein the commandant may consider it in the best interests of the Government to authorize more extended operations.

§ 6.1820 *Courtesy cards.* (1) Courtesy cards may be issued to commissioned officers and warrant officers on the active list of the Naval Reserve by the commandants of naval districts, with a view

to encouraging such officers to visit ships and stations of the Navy for the purpose of broadening their professional knowledge, and forming closer associations between officers of the Navy and Naval Reserve.

(2) Officers shall not use their courtesy cards as a general means of identification. Their use must be restricted to identification upon visits to ships and stations, the purpose for which they are issued.

(3) The courtesy card shall indicate the name, rank, file number (but not the class) and photograph (1½ by 2 inches) of the officer to whom issued, and shall be signed by him, in the presence of the commandant or his representative, his signature to be partly on and partly off the photograph.

(4) There shall be entered on the back of the courtesy card a right thumb fingerprint and physical description of the officer to whom issued, showing age, height, weight, complexion, color of hair and eyes, general build, and other distinguishing features, such as scars, etc.

(5) The commandant or his representative is to sign the card in the space provided, his signature also extending partly across the photograph. The number of the naval district and the date of issue are to be entered on the card. The official impression seal shall be placed on the card extending partly across the photograph. The card shall be delivered to the Reserve officer in person. A copy of the photograph appearing on the card with appropriate data shall be transmitted to the Bureau of Navigation.

(6) Courtesy cards are effective for 4 years or until separation from the service, at which time they shall be returned to the commandant. If a courtesy card is lost, such loss shall be immediately reported to the Bureau of Navigation via the commandant of the district carrying such officer's records. When an officer is promoted to a higher rank, a new card may be issued upon return of the old one.

(7) Identification cards may be furnished enlisted men by district commandants when required.

§ 6.1821 *Continuous-service certificates.* (1) Men recommended for reenlistment who reenlist in the Naval Reserve within 3 months of discharge from a complete enlistment in the Navy or Naval Reserve may, upon presentation of their discharge certificates, be issued continuous-service certificates.

(2) The continuous-service certificate shall be prepared and issued by the Bureau of Navigation upon receipt of the discharge certificate from the Commanding Officer of the ship or station where the man reenlisted.

(3) Continuous-service certificates are the property of the men to whom issued. When the men are on active duty, these certificates may be deposited with the commanding officer for safekeeping, and returned to them upon release.

§ 6.1822 *Forms to be used.* The following forms shall be used and reports made in administering the Naval Reserve:

N. Nav. 1-----	Service record.
N. Nav. 2-----	Fingerprint record (identification).
N. Nav. 5-----	Muster roll, forwarding and instruction sheet.
N. Nav. 5a-----	Muster roll of crew.
N. Nav. 5b-----	Report of changes.
N. Nav. 5e-----	Muster roll—Recapitulation sheet, Naval Reserve.
N. Nav. 17-----	Report of compliance with orders (officers and aviation cadets).
N. Nav. 54-----	Rejection, report of (candidates for enlistment).
N. Nav. 86-----	Monthly report of Naval Reserve activities.
N. Nav. 86a-----	Quarterly report of Reserve officers.
N. Nav. 137-----	Annual fitness report of Naval Reserve officers.
N. Nav. 139-----	Record of elimination flight training—Naval Reserve.
N. Nav. 141-----	Permanent appointment, chief petty officer, United States Naval Reserve.
N. Nav. 145-----	Application for appointment, Merchant Marine Reserve (Line officers employed afloat).
N. Nav. 165-----	Inventory of navigational instruments on board.
N. Nav. 213-----	Discharge from Naval Reserve.
N. Nav. 214-----	Discharge from Naval Reserve by sentence of court martial.
N. Nav. 252-----	Quarterly report of drills—Aviation squadrons—Naval Reserve.
N. Nav. 260-----	Special fitness report on Reserve officers.
N. Nav. 261-----	Special fitness report on Naval Reserve aviators.
N. Nav. 323-----	Enlistment, agreement to extend.
N. Nav. 351-----	Shipping articles, Naval Reserve.
N. Nav. 352-----	Service record, Naval Reserve.
N. Nav. 353-----	Application for appointment as an officer in the Naval Reserve.
N. Nav. 360-----	Letter of transmittal, acceptance and oath of office, Naval Reserve officers.
N. Nav. 367-----	Monthly report of Reserve aviation squadrons.
N. Nav. 373-----	Application for aviation training in Naval Reserve.
N. Nav. 379-----	Identification record (1 finger).
N. Nav. 392-----	Application for commission in aviation special service class.
N. Nav. 395A-----	Application for transfer to Fleet Reserve.
N. Nav. 400-----	Consent, declaration, and oath of parent or guardian, U. S. N. R.
N. Nav. 413-----	Orders to duty involving flying for enlisted men.
N. Nav. 443 and 443A-----	Fitness report for officers on active duty.
N. Nav. 453-----	Certificate of service of Naval Reserve officers for longevity pay purposes.
N. Nav. 471-----	Report of examination for advancement in rating—Naval Reserve.
N. Nav. 472-----	Application for Naval Reserve medal.
N. Nav. 473-----	Excuse for failure to perform training duty, Organized Reserve.
N. Nav. 474-----	Application for appointment as Cadet, Merchant Marine Reserve.

N. Nav. 474(a) Parents consent to appointment as Cadet, Merchant Marine Reserve.

N. Nav. 476 Annual fitness report, Merchant Marine Reserve officers.

N. Nav. 477 Data card, officers of Class A-V (N)—Detail desired for next duty.

N. Nav. 478 Appointment of Cadet, Merchant Marine Reserve.

N. Nav. 479 Oath and acceptance of appointment, aviation cadet.

N. Nav. 480 Age in grade status—Organized Reserve.

N. Nav. 487 Age in grade status—Volunteer Reserve.

N. Nav. 488 Age in grade status—Merchant Marine Reserve.

N. Nav. 504 Application for appointment as Cadet, Merchant Marine Reserve (for use of cadet officers appointed by U. S. Maritime Commission).

N. Nav. 504a Consent of parent or guardian (minors).

N. Nav. 508 Summary of enlisted personnel.

Circular For persons desiring appointment as officers or aviation cadet, or enlistment in United States Naval Reserve.

Letter Change in officer's official residence (to Bureau of Navigation).

Letter Name and official residence of next of kin (Naval Reserve officers).

Letter Monthly reports to Bureau of Navigation on status of allotments under following subheads of Naval Reserve Appropriation: All other expenses (miscellaneous). Authorized expenses of armories. Engineering. Construction and repair. Fuel and transportation.

Letter Monthly report to BuNav on group IV (b) employees.

Letter Quarterly report to BuNav of Reservists on active duty other than training.

Letter Monthly report of Commandant to BuNav on pay and subsistence, shipkeepers, and stationkeepers.

Letter Report of annual training by divisions—when completed—by commanding officer of cruising ship.

Letter Monthly report by Commandants of training duty not included in preceding report nor in Form N. Nav. 367.

Letter Report on costs of motor launches—Annually by organization commanders.

M. & S. Form H. Health record.

M. & S. Form N. Report of death (5 copies).

N. M. S. H. C-1. Report of examination, Hospital Corps (to Bureau of Medicine and Surgery).

M. & S. Form Y. Physical examination of Reserve officers.

N. M. S. Aviation, No. 1. Physical examination for flying.

M. & S. Form No. O. G. 5. Questionnaire for Naval Reserve nurses.

S. & A. 4. Transfer pay account.

S. & A. 444 Compensation for drill or equivalent instruction or duty (officers and enlisted men—Naval Reserve).

S. & A. 444-a Compensation for appropriate duties (officers and enlisted men—Naval Reserve).

S. & A. 444-b Compensation for command (officers—Naval Reserve).

S. & A. 444-d Change of address (to Bureau of Supplies and Accounts).

S. & A. 445 Uniform gratuity, officers, Naval Reserve.

S. & A. 458 Requisition for clothing and small stores, Naval Reserve.

N. Eng. 233, 234, Radio logs and commercial and 235. traffic reports.

N. R. B. Form Application for enlistment. 24.

O. N. I. No. 1 Personnel record of I-V (S). (f).

I. No. 3 (f) Report of investigation of applicants for commission.

CA-1 Employee's notice of injury.

CA-2 Official superior's report of injury.

CA-3 Report of termination of disability.

CA-4 Claim for compensation.

Vet. Adm. Form Application for U. S. Government insurance. 379 (a).

Miscellaneous

§ 6.1901 *Employment of reservists in civilian branch of public service.* (1) No existing law shall be construed to prevent any member of the Naval Reserve from accepting employment in any civil branch of the public service nor from receiving the pay and allowances incident to such employment in addition to any pay and allowances to which he may be entitled under the provision of the Naval Reserve Act of 1938.

(2) No existing law shall be construed as prohibiting any member of the Naval Reserve from practicing his civilian profession or occupation before or in connection with any department of the Federal Government.

§ 6.1902 *Military leave.* (1) All officers and employees of the United States or of the District of Columbia who are members of the Naval Reserve shall be entitled to leave of absence from their respective duties without loss of pay, time, or efficiency rating on all days during which they may be employed with or without pay under the orders or authorization of competent authority, on training duty for periods not to exceed 15 days in any 1 calendar year.

(2) Competent authority is defined as the Bureau of Navigation, the Commandants of naval districts, the commanding officers authorized to issue authority or orders for active duty and training duty.

§ 6.1903 *Civilian guests—Naval Reserve vessels.* (1) The Commandants of the various naval districts and the Commandant, Navy Yard, Washington, D. C., are authorized to grant requests of such civilians as they may deem proper to embark as passengers on district vessels (including motorboats) assigned to training the Naval Reserve during short training cruises, provided accommodations are available and the presence of such passengers on board will not interfere with the proper training of the Naval Reserve.

(2) The names of such passengers and the dates of arrival on board and departure shall be entered in the log book

and reported to the Bureau of Navigation in accordance with article 861 (2), Navy Regulations, (available in the office of the Chief of Naval Operations, Navy Department).

(3) Before embarking on such cruises, civilian guests will be required to sign a certificate of waiver in case of accident in the following form:

I agree that any injury incurred by me on the cruise I am about to take shall be at my own risk.

In case of accident notify _____

Address: _____

Signature: _____

§ 6.1904 *Appointment of midshipmen from enlisted men.* (1) The Secretary of the Navy is authorized to appoint midshipmen to the Naval Academy from enlisted men of the Naval Reserve and Marine Corps Reserve under similar conditions so far as applicable as prescribed by law for appointments from enlisted men of the Navy. Not more than 50 midshipmen shall be appointed in any 1 year under this authority, except that in the event the quota of midshipmen from the enlisted men of the Regular Navy is not filled in any 1 year, the Secretary of the Navy may fill such vacancies with additional men from the Naval Reserve.

(2) Only enlisted men of the Naval Reserve who meet the following requirements will be selected as a result of a competitive examination for appointment as midshipmen:

(a) Must be citizens of the United States who are not more than 20 years of age on April 1 of the year in which appointed.

(b) Must have been in the Naval Reserve at least 1 year by July 1 of the year in which appointed. In this computation service in the Marine Corps Reserve, in the Navy, and the Marine Corps shall be credited.

(c) Must be attached to or associated with an organization of the Organized Reserve and have maintained efficiency by attending therewith at least 27 drills or periods of equivalent instruction or duty during the period between July 1 of the year preceding appointment and the third Wednesday in the following April, which is the date of mental examination for admission. Not more than 7 of these periods may be periods of equivalent instruction or duty.

(d) Must have a good record.

(e) Must submit application prior to October 1 of the year preceding appointment. This application shall be routed to the Bureau of Navigation via commanding officer, Commandant of district, and Bureau of Medicine and Surgery. Transcript from service record and report of physical examination on Bureau of Medicine and Surgery Form Y in duplicate shall be attached to it.

(f) Must be recommended by their commanding officers. No other recommendations are necessary. If a candidate is transferred prior to October 1 of the year preceding his competitive examination for appointment, the com-

manding officer of the organization from which he is being transferred will prepare all the reports and recommendations as required above and forward them via the organization to which the candidate is being transferred.

(g) Must take a competitive examination which is held on the third Wednesday in April of each year and is the regular examination given to candidates nominated for appointment as midshipmen.

(h) Must meet the same moral, mental, and physical requirements as are required of other candidates for appointment as midshipmen. Regulations governing the admission of candidates into the Naval Academy as midshipmen and sample examination papers may be obtained upon application to the Bureau of Navigation through official channels.

(3) The candidate's commanding officer shall forward to the Bureau, as soon as practicable after the third Wednesday in April, a report showing attendance at the required number of drills or periods of equivalent duty or instruction between July 1 of the preceding year and the date of examination.

(4) Reservists are not eligible to attend the Naval Academy preparatory school, and may not be assigned to active duty for this purpose, either with pay or without pay.

(5) Any enlisted man of the Naval Reserve making application for appointment to the Naval Academy who has made a false statement as to his age when applying for enlistment or subsequent thereto shall be automatically barred from competing for such appointment, and his further retention as a member of the Naval Reserve will be decided on the merits of the case and the recommendations of his commanding officer. If discharge is directed, subject man will be given a special order discharge—"For misstatement of age."

§ 6.1905 *Deaths*. (1) In case of death of a Reservist, his service record shall be closed out as of the date of death with appropriate entries and forwarded via the Commandant of his naval district to the Bureau of Navigation.

(2) If a Reservist dies while in an inactive duty status, a report of death, in letter form, will be forwarded to the Bureau of Navigation. There shall be included in this report all pertinent information obtainable, such as full name, rank or rate, file or serial number of deceased, date and place of birth; source of information; date, place, and cause of death; and names and addresses of next of kin. A copy of this letter, together with terminated health record shall be forwarded to the Bureau of Medicine and Surgery.

(3) If a member of the Naval Reserve dies while on active duty or training duty, reports required in the cases of personnel of the regular Navy shall be made.

(4) Commandants of naval districts and commanding officers of organiza-

tions are authorized to furnish funeral escorts, as provided by Navy Regulations, for members of the Naval Reserve (inactive) when such request is made by the next of kin and when it can be done without expense to the Government.

(5) An escort of one person may be provided at Government expense in accordance with U. S. Navy Travel Instructions to escort the remains of a member of the Naval Reserve who dies while performing active duty or training duty.

(6) Members of the Naval Reserve who die while on active or training duty are entitled to burial in national cemeteries. Their next of kin are entitled to receive the national flag in accordance with the provisions of article 1832, U. S. Navy Regulations, (available in the office of the Chief of Naval Operations, Navy Department).

(7) For instructions regarding procedure in case of death while on active or training duty, consult chapter 19, Manual of the Medical Department, and Bureau of Navigation Manual, chapter 7, part C, and chapter 9, section 2, part D.

§ 6.1906 *Bonding of supply officers*.

(1) Supply officers of the Naval Reserve are required to execute fidelity bonds when ordered to active or training duty in time of peace, if such duty involves the handling of money or property accounts. The procedure outlined in the Bureau of Supplies and Accounts Manual will be followed in such cases.

(2) Every officer of the Supply Corps in the Naval Reserve is required to file in the office of the Judge Advocate General of the Navy a partially executed bond, signature cards, and an application for bond of the surety selected by him, in order to expedite his bonding if and when he is ordered to active duty in time of war or national emergency involving the accountability of public funds or public property.

(3) The preparation and filing of bonds is under the cognizance of the Judge Advocate General of the Navy, who will furnish Reserve supply officers bond forms and signature cards, together with information and instructions in regard to the procedure to be followed. When completed, these forms will be returned to the Office of the Judge Advocate General of the Navy for file.

(4) No cost to the Reserve supply officer is involved unless and until his bond is in fact executed by a surety company and approved by the Navy Department, at which time the usual premium must be paid by the Reserve officer. The surety executing the bond will inform the Reserve officer as to the amount of the premium due.

§ 6.1907 *Naval Militia*. (1) No officer or man of the Naval Reserve shall be a member of any other naval or military organization except the Naval Militia.

(2) Of the Organized Militia, as provided by law, such part as may be duly

prescribed in any State, Territory, or the District of Columbia, shall constitute a Naval Militia.

(3) Any officer or enlisted man of such Naval Militia may be appointed or enlisted in the Naval Reserve and assigned to the Organized Reserve in the grade, rank, or rating not above the rank of ensign for which he may be qualified in accordance with the physical and professional standards prescribed for members of the Organized Reserve and for which there may be a vacancy in a unit of the Organized Reserve.

(4) Each member of the Naval Militia appointed or enlisted in the Naval Reserve and assigned to the Organized Reserve shall be required to qualify for the rank, grade, or rating which he holds in the Organized Reserve, in accordance with the physical and professional standards prescribed for the Organized Reserve, within 1 year after the date of his appointment or enlistment therein.

(5) Officers and men of the Naval Reserve who are members of the Naval Militia of any State, Territory, or the District of Columbia shall stand relieved from all service or duty in said Naval Militia when on active duty in time of war or national emergency, or when ordered to such duty.

[Subparts B, C, and D will appear in the issue for Wednesday, May 15, 1940. Subparts E to K, inclusive, will appear in the issue for Thursday, May 16, 1940.]

[F. R. Doc. 40-1897; Filed, May 11, 1940; 10:04 a. m.]

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum wage rate applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued under Section 14 of the said Act and § 522.5 of Regulations Part 522, as amended, to the employers listed below effective May 14, 1940. These Certificates may be canceled in the manner provided for in the Regulations and as indicated in the Certificate. Any person aggrieved by the issuance of any of these Certificates may seek a review of the action taken in accordance with the provisions of §§ 522.13 or 522.5 (b), whichever is applicable of the aforementioned Regulations.

The employment of learners under these Certificates is limited to the occupations, learning periods, and minimum wage rates specified in the Determination or Order for the Industry designated

below opposite the employer's name and published in the FEDERAL REGISTER as here stated:

Regulations, Part 522, May 23, 1939 (4 F.R. 2088), and as amended October 12, 1939 (4 F.R. 4226).

Hosiery Order, August 24, 1939 (4 F.R. 3711).

Apparel Order, October 12, 1939 (4 F.R. 4225).

Knitted Wear Order, October 24, 1939 (4 F.R. 4351).

Textile Order, November 8, 1939 (4 F.R. 4531), as amended, April 27, 1940 (5 F.R. 1586).

Glove Order, February 20, 1940 (5 F.R. 714).

Telephone Order, April 9, 1940 (5 F.R. 1371).

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, AND EXPIRATION DATE

Alta Hosiery Mill, Washington Street, Terra Alta, West Virginia; Hosiery; Full Fashioned; 30 learners; September 18, 1940.

Denrose Dress Company, Highland, New York; Apparel; Dresses; 10 learners; September 10, 1940.

Gopher Sportswear Company, 22 North Third Street, Minneapolis, Minnesota; Apparel; Ladies' Wearing Apparel; 5 learners (23.33¢ per hour); October 24, 1940.

Rosa Lee Manufacturing Company, 224 East 11th Street, Los Angeles, California; Apparel; Aprons; 5 learners; October 24, 1940.

Harry V. Costello Company, 80 Parallel Street, Bridgeport, Connecticut; Knitted Wear; Underwear; 4 learners; October 24, 1940.

Little Falls Manufacturing Company, 515 East Mill Street, Little Falls, New York; Knotted Wear; Knit Cotton Underwear; 5 learners; October 24, 1940.

Texas Textile Mills, McKinney, Texas; Textile; Manufacturing Cotton Piece Goods; 3 learners; October 24, 1940.

Whitley Cotton Mills, Inc., Clayton, North Carolina; Textile; Single & Ply Yarn for Weaving; 2 learners; October 24, 1940.

Cooper, Wells and Company, 300 Broad Street, St. Joseph, Michigan; Textile; Silk Throwing Branch; 5 learners; October 24, 1940.

Montezuma Mutual Telephone Company, Montezuma, Iowa; Independent Branch of the Telephone Industry; to employ learners (as indicated in the Telephone Order) as commercial and switchboard operators until December 31, 1940.

Signed at Washington, D. C., this 13th day of May 1940.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 40-1937; Filed, May 13, 1940; 11:58 a. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS

Notice is hereby given that Special Certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued pursuant to section 14 of the said Act and § 522.5 (b) of Regulations Part 522 (4 F.R. 2088), as amended (4 F.R. 4226), to the employers listed below effective May 14, 1940. These Certificates are issued upon their representations that experienced workers for the learner occupations are not available and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. These Certificates may be canceled in the manner provided for in § 522.5 (b) of the Regulations and as indicated on the Certificate. Any person aggrieved by the issuance of any of these Certificates may seek a review of the action taken in accordance with the provisions of § 522.5 (b). The employment of learners under these Certificates is limited to the terms and conditions as designated opposite the employer's name.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATIONS, EXPIRATION DATE

A. J. Harris & Sons, 817 A Avenue, Northwest, Cedar Rapids, Iowa; Cutlery; Paring Knives, Slicers, Cleavers, etc.; 3 learners; 8 weeks for any one learner; 25¢ per hour; Bench Grinder, Polisher, and Steel Cutter, hand; July 23, 1940.

Bauer's Shuttles, Inc., 83 Columbia Street, Seattle, Washington; Sporting Athletic Goods; Badminton Shuttlecocks; 3 learners; 6 weeks for any one learner; 25¢ per hour; Feather Cutter, Stitcher, and Finisher; October 1, 1940.

U. S. Manufacturing Corporation, 60 Industry Court, Decatur, Illinois; House Furnishing Goods; Fly Swatters, Electric Corn Poppers, etc.; 6 learners; 8 weeks for any one learner; 25¢ per hour; Fly Swatter Blade Sewer and Wire Stitcher; July 23, 1940.

Signed at Washington, D. C., this 13th day of May 1940.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 40-1938; Filed, May 13, 1940; 11:58 a. m.]

FEDERAL TRADE COMMISSION.

[Docket-No. 3989]

IN THE MATTER OF PETERSON CORE OIL & MFG. CO., A CORPORATION, AND H. S. PETERSON AND H. A. PETERSON, INDIVIDUALS

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in

the City of Washington, D. C., on the 11th day of May, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41).

It is ordered. That Miles J. Furnas, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered. That the taking of testimony in this proceeding begin on Thursday, June 20, 1940, at nine o'clock in the forenoon of that day (central standard time) in Room 1121, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1901; Filed, May 11, 1940; 10:15 a. m.]

[Docket No. 4040]

IN THE MATTER OF HAMILTON ROSS FACTORIES, INC., A CORPORATION

ORDER APPOINTING EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 11th day of May, A. D. 1940.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., Section 41).

It is ordered. That Miles J. Furnas, an examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered. That the taking of testimony in this proceeding begin on Monday, June 17, 1940, at nine o'clock in the forenoon of that day (central standard time) in Room 1121, New Post Office Building, Chicago, Illinois.

Upon completion of testimony for the Federal Trade Commission, the examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 40-1902; Filed, May 11, 1940; 10:16 a. m.]

RAILROAD RETIREMENT BOARD.

EMPLOYER STATUS OF NATIONAL CARLOADING CORPORATION, UNIVERSAL CARLOADING & DISTRIBUTING COMPANY, INC., AND OF INDIVIDUALS WHO HAVE BEEN ENGAGED IN THE PERFORMANCE OF THE OPERATION OF THOSE COMPANIES

HEARINGS POSTPONED

Notice is hereby given to all persons interested that upon the request of one of the parties and pursuant to the authority vested in me by Board Order No. 40-26, adopted January 12, 1940, the hearings in the above matters which have been set for May 27, 1940¹ at 10:00 A. M. at the offices of the Board in Washington, D. C., are postponed to June 10, 1940, at the same time and place.

JOSEPH A. FANELLI,
Examiner.

Dated, May 11, 1940.

[F. R. Doc. 40-1905; Filed, May 11, 1940;
11:24 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 44-64]

IN THE MATTER OF UNITED PUBLIC UTILITIES CORPORATION

ORDER APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 9th day of May, A. D. 1940.

United Public Utilities Corporation, a registered holding company, having filed an application pursuant to Rule U-12C-1 promulgated under the Public Utility Holding Company Act of 1935 seeking approval of the acquisition and retirement during the calendar year 1940 of not more than \$125,000 principal amount of its Ten-Year Interest Scrip, bearing 5% interest, due 1945;

A public hearing on such application having been held after appropriate notice,² the record in this matter having been examined; and the Commission having made and filed its findings herein;

It is ordered, That the application be and the same hereby is approved, subject, however, to the following conditions:

1. That the acquisition and retirement of the Ten-Year Interest Scrip and all matters related thereto be carried out in all respects as set forth in the application and in accordance with the opinion and order of the Commission herein;

2. That in determining the principal amount of \$125,000 of Ten-Year Interest Scrip which the applicant is hereby authorized to acquire and retire, there shall be included the principal amount of Scrip already acquired pursuant to Rule U-9C-3 (14) during 1940 and said

rule shall not be available to the applicant for the balance of the calendar year 1940 with respect to its purchases of Ten-Year Interest Scrip;

3. That the applicant report to this Commission as soon as practicable after the close of each quarter calendar year its purchases of Scrip during the preceding quarter, including for each purchase of Scrip the face amount purchased, the cost per unit, a statement whether purchased direct from holders or over-the-counter, the amount of commissions and any other fees paid in connection with such acquisitions, the names and addresses of each broker or over-the-counter dealer through whom purchased, and the total price paid. A specimen of the invitation of tenders shall be submitted with the first report following such invitation, and a specimen of any subsequent invitation shall be likewise submitted; and

4. That the Commission reserves jurisdiction to terminate the authorization hereby given whenever it shall appear necessary in the public interest, or the interests of investors or consumers.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1906; Filed, May 11, 1940;
11:26 a. m.]

[File Nos. 70-35; 70-36; 70-37; 70-39]

IN THE MATTERS OF AMERICAN UTILITIES SERVICE CORPORATION, LOUISIANA PUBLIC SERVICE CORPORATION, AND WISCONSIN SOUTHERN GAS COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

Applications pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by American Utilities Service Corporation, and Wisconsin Southern Gas Company, and a declaration pursuant to said Act, having been so filed by Louisiana Public Service Corporation;

It is ordered, That a hearing on such matters under the applicable provisions of said Act and the rules of the Commission thereunder be held on May 25, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing in respect to said declaration, cause shall be shown why said declaration shall become effective.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matters. The officer so designated

to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant and applicants and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 20, 1940.

The matters concerned herewith are in regard to four applications filed by American Utilities Service Corporation, a registered holding company, an application by Wisconsin Southern Gas Company and a declaration by Louisiana Public Service Corporation, each of which is a subsidiary of American Utilities Service Corporation.

American Utilities Service Corporation filed an application for approval of a proposed purchase of \$80,000 principal amount of 4% unsecured twenty-seven year promissory notes of The Bluefield Telephone Company, a subsidiary of applicant. It is stated that applicant desires to make such proposed purchase to enable The Bluefield Telephone Company to make necessary additions and betterments to its property, and that the construction and improvement program of The Bluefield Telephone Company for 1940 will require such \$80,000. The applicant also requests approval of a proposed purchase of \$75,000 principal amount of 5½% unsecured ten-year promissory notes of Jefferson County Telephone Company, also a subsidiary of applicant. It is stated that the Public Service Commission of West Virginia has required Jefferson County Telephone Company to improve its plant by rebuilding or repairing certain of its facilities; that the estimated cost of such improvements and betterments during 1940 is \$44,450 and during 1941 is \$35,170; that Jefferson County Telephone Company has \$23,500 principal amount of First Mortgage Bonds outstanding, dated September 1, 1911, and due September 1, 1941. Applicant states that it desires to consummate such proposed purchase in order to provide a part of the funds required for Jefferson County Telephone Company making such improvements and betterments and the payment of such First Mortgage Bonds.

American Utilities Service Corporation also filed an application in regard to a proposed purchase of 1,000 shares of common stock, no par value, of Independence Waterworks Company, a subsidiary of applicant, for the sum of \$100,000 in cash. It is stated that Independence Waterworks Company is indebted to applicant on open account in the amount of \$100,000; that applicant's purchase of such 1,000 shares of common stock will enable Independence Water-

¹ 5 F.R. 1555.

² 5 F.R. 1075.

works Company to discharge its open account indebtedness to the applicant, and thereby improve its financial and credit position.

Louisiana Public Service Corporation, a subsidiary of American Utilities Service Corporation, filed a declaration in regard to the proposed issue and sale of 750 shares of its common stock, no par value, to American Utilities Service Corporation for the sum of \$50,000 in cash. It is stated that declarant desires to make the proposed sale because it is in need of funds for its 1940 construction program and to reimburse its treasury for construction expenditures previously made. American Utilities Service Corporation has also filed an application for approval of the proposed acquisition of the aforementioned common stock of Louisiana Public Service Corporation for the sum of \$50,000.

Wisconsin Southern Gas Company, a subsidiary of American Utilities Service Corporation, has filed an application in regard to the proposed issue of \$150,000, 6% unsecured promissory income note to be dated February 1, 1940 and to mature February 1, 1950, to American Utilities Service Corporation, in exchange for applicant's outstanding \$150,000, 6% promissory note dated November 1, 1934, and due November 1, 1935, which it is stated, is past due. Wisconsin Southern Gas Company also proposes to issue to American Utilities Service Corporation 1,625 shares of its common stock \$100 par value at par. It is stated that Wisconsin Southern Gas Company proposes to issue such common stock for the purpose of evidencing an equal amount of capital surplus representing capital heretofore paid in to Wisconsin Southern Gas Company, for which no stock has heretofore been issued. It is further stated that the present capital structure of Wisconsin Southern Gas Company is not well balanced in that \$87,500 par value of its common stock is now outstanding and that as of December 31, 1939, its capital surplus was \$339,487; and, that the proposed issuance of common stock will provide a better balanced capital structure.

American Utilities Service Corporation also filed an application for approval of acquisition of the aforementioned note and common stock of Wisconsin Southern Gas Company. It is stated that American Utilities Service Corporation owns all of the issued and outstanding stock of Wisconsin Southern Gas Company; that American Utilities Service Corporation or its predecessor in interest, Federal Public Service Corporation, has heretofore made donations, contributions or advances to Wisconsin Southern Gas Corporation for which no securities were issued in return with the result that the capital surplus of Wisconsin Southern Gas Company as of December 31, 1939 was \$339,487.

American Utilities Service Corporation stated that it proposes to pledge all the

hereinabove mentioned securities which it proposes to acquire, with Continental Illinois National Bank and Trust Company of Chicago, as indenture trustee of American Utilities Service Corporation's Collateral Trust 6% Bonds, Series A, and the aforementioned application of American Utilities Service Corporation further requests approval thereof.

It is further ordered, That all the aforementioned applications and the aforementioned declaration be and the same hereby are consolidated for the purpose of hearings thereon.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1907; Filed, May 11, 1940;
11:26 a. m.]

[File Nos. 31-162, 31-164, 31-165, 31-167,
31-467, 31-473, 31-481 to 31-484, incl.]

IN THE MATTER OF KOPPERS UNITED COMPANY, THE BROOKLYN UNION GAS COMPANY, KOPPERS COMPANY, EASTERN GAS AND FUEL ASSOCIATES, FUEL INVESTMENT ASSOCIATES, AND BROCKTON GAS LIGHT COMPANY

ORDER FOR CONSOLIDATION OF HEARINGS

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May A. D. 1940.

The Commission now having pending before it the following related matters filed pursuant to the provisions of the Public Utility Holding Company Act of 1935:

(1) File No. 31-482. Application by Koppers United Company pursuant to Section 2 (a) (8) of said Act for an order declaring that the United Light and Power Company is not a subsidiary of Koppers United Company.

(2) File No. 31-481. Application by Koppers United Company pursuant to Section 2 (a) (8) of said Act for an order declaring that the Brooklyn Union Gas Company is not a subsidiary of Koppers United Company.

(3) File No. 31-467. Application by the Brooklyn Union Gas Company pursuant to Section 2 (a) (8) of said Act for an order declaring that the Brooklyn Union Gas Company is not a subsidiary of Koppers Company or of Koppers United Company.

(4) File No. 31-165. Application by Koppers Company pursuant to Section 2 (a) (7) of said Act for an order declaring that said Koppers Company is not a holding company.

(5) File No. 31-484. Application by Eastern Gas and Fuel Associates pursuant to Section 2 (a) (8) of said Act for an order declaring that Eastern Gas and Fuel Associates is not a subsidiary of Koppers Company.

(6) File No. 31-483. Application by Koppers United Company, Fuel Investment Associates and Eastern Gas and Fuel Associates pursuant to Section 2

(a) (8) of said Act for an order declaring that Brockton Gas Light Company is not a subsidiary of Koppers United Company, Fuel Investment Associates or Eastern Gas and Fuel Associates.

(7) File No. 31-473. Application by Brockton Gas Light Company pursuant to Section 2 (a) (8) of said Act for an order declaring that Brockton Gas Light Company is not a subsidiary of Eastern Gas and Fuel Associates, Fuel Investment Associates or Koppers United Company.

(8) File No. 31-167. Application by Koppers United Company pursuant to Sections 3 (a) (1), 3 (a) (3) (A) and 3 (a) (3) (B) of said Act for an order exempting Koppers United Company and every subsidiary company thereof as such, from all of the provisions of said Act.

(9) File No. 31-162. Application by Fuel Investment Associates pursuant to Sections 3 (a) (1), 3 (a) (3) (A), 3 (a) (3) (B) of said Act for an order exempting Fuel Investments and every subsidiary company thereof, as such from all the provisions of said Act.

(10) File No. 31-164. Application by Eastern Gas and Fuel Associates pursuant to Sections 3 (a) (1), 3 (a) (3) (A) and 3 (a) (3) (B) for an order exempting Eastern Gas and Fuel Associates and every subsidiary company thereof as such, from all the provisions of said Act.

It appearing that such proceedings involve common questions of law and fact, that evidence offered in respect to one proceeding may have a bearing on the other proceedings and that the matters in issue in all of said proceedings are substantially interrelated; that the parties to the respective matters are the same or are otherwise united in interest; and that substantial saving in time, effort and expense will result and unnecessary costs or delay will be avoided if the hearings on said matters are consolidated so that they may be heard as one matter and so that evidence adduced in each matter may stand as evidence in the others, insofar as the same may be relevant.

It is ordered, That the matters referred to in paragraphs numbered (1) to (10) inclusive hereof, Commission's File Nos. 31-482, 31-481, 31-467, 31-165, 31-484, 31-483, 31-473, 31-167, 31-162, and 31-164 be and they hereby are consolidated for the purpose of hearings thereon. The Commission reserves the right, if at any time it may appear conducive to an orderly and economic disposition of any of such matters, to order a separate hearing with respect to the same or any part thereof, or to close the record with respect thereto and/or to take action thereon prior to closing the record on any of the other matters herein referred to.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1908; Filed, May 11, 1940;
11:26 a. m.]

*[File No. 31-482]

IN THE MATTER OF KOPPERS UNITED COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that United Light & Power Company is not a subsidiary of Koppers United Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1915; Filed, May 11, 1940;
11:28 a. m.]

*[File No. 31-481]

IN THE MATTER OF KOPPERS UNITED COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that The Brooklyn Union Gas Company is not a subsidiary of Koppers United Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1916; Filed, May 11, 1940;
11:29 a. m.]

*[File No. 31-467]

IN THE MATTER OF THE BROOKLYN UNION GAS COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown

why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that The Brooklyn Union Gas Company is not a subsidiary of Koppers Company or of Koppers United Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1909; Filed, May 11, 1940;
11:27 a. m.]

*[File No. 31-165]

IN THE MATTER OF KOPPERS COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application and two amendments thereto pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such manner. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (7) of the Public Utility Holding Company Act of 1935 for an order declaring that Koppers Company is not a holding company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1912; Filed, May 11, 1940;
11:28 a. m.]

[File No. 31-484]

IN THE MATTER OF EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that

effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that Eastern Gas and Fuel Associates is not a subsidiary of Koppers Company.

By the Commission.

[SEAL] FRANCIS B. BRASSOR,
Secretary.

[F. R. Doc. 40-1911; Filed, May 11, 1940;
11:27 a. m.]

[File No. 31-483]

IN THE MATTER OF KOPPERS UNITED COMPANY, FUEL INVESTMENT ASSOCIATES, AND EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named parties;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that Brockton Gas Light Company is not a subsidiary of Koppers

United Company, Fuel Investment Associates or Eastern Gas and Fuel Associates.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1918; Filed, May 11, 1940;
11:29 a. m.]

[File No. 31-473]

IN THE MATTER OF BROCKTON GAS LIGHT COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring that Brockton Gas Light Company is not a subsidiary of Eastern Gas and Fuel Associates, Fuel Investment Associates or Koppers United Company.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1910; Filed, May 11, 1940;
11:27 a. m.]

[File No. 31-167]

IN THE MATTER OF KOPPERS UNITED COMPANY

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application and two amendments thereto pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Sections 3 (a) (1), 3 (a) (3) (A) and 3 (a) (3) (B) of the Public Utility Holding Company Act of 1935 for an order exempting Koppers United Company and every subsidiary company thereof as such, from all of the provisions of said Act.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1914; Filed, May 11, 1940; 11:28 a. m.]

[File No. 31-162]

IN THE MATTER OF FUEL INVESTMENT ASSOCIATES

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application and two amendments thereto pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Sections 3 (a) (1), 3 (a) (3) (A) and 3 (a) (3) (B) of the Public Utility Holding Company Act of 1935 for an order exempting Fuel Investment Associates and every subsidiary company thereof as such, from all of the provisions of said Act.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1917; Filed, May 11, 1940; 11:29 a. m.]

[File No. 31-164]

IN THE MATTER OF EASTERN GAS AND FUEL ASSOCIATES

NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

An application and two amendments thereto pursuant to the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on June 4, 1940,

at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing-room clerk in room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That William W. Swift or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practices.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 28, 1940.

The matter concerned herewith is in regard to an application pursuant to Sections 3 (a) (1), 3 (a) (3) (A) and 3 (a) (3) (B) of the Public Utility Holding Company Act of 1935 for an order exempting Eastern Gas and Fuel Associates and every subsidiary company thereof as such from all of the provisions of said Act.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1913; Filed, May 11, 1940; 11:28 a. m.]

[File No. 1-2143]

IN THE MATTER OF CONSOLIDATED ICE COMPANY COMMON STOCK, NO PAR VALUE, AND \$1.50 PREFERRED STOCK, NO PAR VALUE, \$1 CUMULATIVE PARTICIPATING UP TO \$2.50

ORDER SETTING HEARING ON APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May 1940.

The Consolidated Ice Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its Common Stock, No Par Value, and \$1.50 Preferred Stock, No Par Value, \$1 Cumulative Participating up to \$2.50, from listing and registration on the Pittsburgh Stock Exchange; and

The Commission deeming it necessary for the protection of investors that a

hearing be held in this matter at which all interested persons be given an opportunity to be heard;

It is ordered, That the matter be set down for hearing at 10 A. M. on Wednesday, June 5, 1940, in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue, N. W., Washington, D. C., and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That Willis E. Monty, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1928; Filed, May 13, 1940;
11:05 a. m.]

[File No. 1-2655]

IN THE MATTER OF SAN GABRIEL RIVER IMPROVEMENT COMPANY \$10 PAR VALUE COMMON STOCK

ORDER CHANGING PLACE OF HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

The San Gabriel River Improvement Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to the Commission to withdraw its \$10 Par Value Common Stock from listing and registration on the Los Angeles Stock Exchange; and

The Commission having ordered that a hearing be held in this matter on June 3, 1940 at the office of the Securities and Exchange Commission, 650 South Spring Street, Los Angeles, California; and

The Los Angeles office of the Commission having been moved;

It is ordered, That said hearing be held at 10 A. M. on Monday, June 3, 1940, at the office of the Securities and Exchange Commission, United States Post Office and Court House Building, Los Angeles, California, and continue thereafter at such times and places as the Commission or its officer herein designated shall determine, and that general notice thereof be given; and

It is further ordered, That John G. Clarkson, an officer of the Commission, be and he hereby is designated to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspond-

ence, memoranda or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith authorized by law.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1927; Filed, May 13, 1940;
11:05 a. m.]

[File No. 59-6]

IN THE MATTER OF THE UNITED GAS IMPROVEMENT COMPANY AND ITS SUBSIDIARY COMPANIES, RESPONDENTS

ORDER DISMISSING PARTY FROM PROCEEDING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

The Commission on March 4, 1940, having issued a notice of and order for hearing pursuant to Section 11 (b) (1) of the Public Utility Holding Company Act of 1935 in the above-captioned matter; and

The Bristol Traction Company, having been designated as a subsidiary of The United Gas Improvement Company and as a respondent in the aforesaid proceeding;

It appearing that by reason of the disposition of the stock of The Bristol Traction Company, such company is no longer a subsidiary of The United Gas Improvement Company;

It is hereby ordered, That The Bristol Traction Company be and hereby is dismissed as a party to this proceeding.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1931; Filed, May 13, 1940;
11:06 a. m.]

[File No. 59-6]

IN THE MATTER OF THE UNITED GAS IMPROVEMENT COMPANY AND ITS SUBSIDIARY COMPANIES, RESPONDENTS

ORDER FOR POSTPONEMENT

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

It appearing to the Commission that a hearing in the above-captioned matter pursuant to Section 11 (b) (1) of the Public Utility Holding Company Act of 1935 has been set for the thirteenth day of May 1940 at 10 o'clock a. m. at the office of the Securities and Exchange Commission, 1778 Pennsylvania Avenue NW., Washington, D. C.; and

It appearing to the Commission that further time for consideration of certain issues raised by the answer filed by the United Gas Improvement Company and certain subsidiary companies thereof to the Notice of and Order for Hearing in

the above-captioned matter is desirable before proceeding to hearing in such matter

It is therefore ordered, That such hearing be, and the same hereby is, postponed until the twentieth day of May, 1940, at 10 o'clock a. m. at the office of the Securities and Exchange Commission in Washington, D. C. On such day the hearing room clerk in room 1102 will advise as to the room where such hearing will be held. All interested parties or persons will govern themselves accordingly.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1929; Filed, May 13, 1940;
11:05 a. m.]

[File No. 70-15]

IN THE MATTER OF NORTH AMERICAN GAS AND ELECTRIC COMPANY

ORDER AMENDING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 10th day of May, A. D. 1940.

North American Gas and Electric Company having filed an application and amendments thereto pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935 and Rule U-12D-1 thereunder for approval of the disposition of 43,754⁴²/₁₀₀ths shares of common stock and 254,968 shares of Class B common stock of Southeastern Gas & Water Company, by surrender for cancellation without consideration to Southeastern Gas & Water Company;

A public hearing on said application as amended having been duly held after appropriate notice; the record having been examined; and the Commission having made and filed its Findings and Opinion herein;

It is ordered, That the application as amended, filed by North American Gas and Electric Company, be, and the same hereby is, approved subject to the following terms and conditions:

(1) That all acts in connection with said disposition and surrender of securities shall be performed in accordance with the terms and conditions of, and for the purposes represented by, said application as amended;

(2) That within ten days after said surrender of securities North American Gas and Electric Company shall file with this Commission a certificate of notification stating that the disposition has been effected in accordance with the terms and conditions of, and for the purposes represented by, its said application as amended.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1930; Filed, May 13, 1940;
11:05 a. m.]

[File Nos. 70-50, 70-51]

IN THE MATTER OF SOUTH CAROLINA ELECTRIC & GAS COMPANY, SOUTHEASTERN ELECTRIC AND GAS COMPANY

NOTICE OF ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 11th day of May, A. D. 1940.

South Carolina Electric & Gas Company, a subsidiary of Southeastern Electric and Gas Company, a registered holding company, having filed an application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 seeking exemption from the provisions of Section 6 (a) of said Act of the issue and sale to The Manhattan Company of the issuer's promissory note in the total face amount of \$500,000 bearing interest at 3½ per centum per annum maturing two years from date of issue and providing for instalments of \$25,000 per month on the principal from October 1940 to and including May 1942, the date of maturity; it being represented that the proceeds from the sale of said note are to be used to the extent of \$200,000 to discharge present indebtedness and to the

extent of \$300,000 to provide for additions and betterments to applicant's physical property; it being further represented that the proposed issue and sale of said note has been expressly approved by the Public Service Commission of South Carolina;

Southeastern Electric and Gas Company, a registered holding company and parent of South Carolina Electric & Gas Company, having filed a declaration pursuant to Rule U-12B-1 promulgated under said Act concerning the subordination in payment of all indebtedness of South Carolina Electric & Gas Company to Southeastern Electric and Gas Company whether heretofore or hereafter incurred or created to the note presently proposed to be issued and sold by South Carolina Electric & Gas Company;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the rules of the Commission thereunder be held on May 23, 1940, at 10 o'clock in the forenoon of that day at the Securities and Exchange Building, 1778 Pennsylvania Avenue NW., Washington, D. C. On such day the hearing room clerk in Room 1102

will advise as to the room where such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under Section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice to continue or postpone said hearing from time to time.

Notice of such hearing is hereby given to such applicants and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before May 18, 1940.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 40-1932; Filed, May 13, 1940; 11:06 a. m.]